



WIPO-BCC 27th Advanced Training Seminar on Copyright and Related Rights

Country Report

MALAWI

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Country Report for Malawi (Copyright and Related rights)

1. Malawi officially the Republic of Malawi, is a landlocked country in southeast Africa that was formerly known as Nyasaland. It is bordered by Zambia to the northwest, Tanzania to the northeast, and Mozambique on the east, south and west. Malawi is over 118,000 km² (45,560 sq mi) with an estimated population of 18,091,575 (July 2016 est.). Its capital is Lilongwe, which is also Malawi's largest city. The country is also nicknamed "The Warm Heart of Africa". Lake Malawi takes up about a third of Malawi's area. Malawi is among the world's least-developed countries. The economy is heavily based in agriculture, with a largely rural population.

2. Copyright and related rights legislation is the Copyright act 1989; in 2016 it was amended to the Copyright Act 2016. Available on the following link: <http://cosoma.mw/index.php/media-centre/downloads/documents/1-malawi-copyright-act>

3. Membership of Convention, Treaties and Agreements

Name of International Convention, Treaties or Agreements	Core Purpose	Date of Implementation or Ratification
Marakesh Treaty	To facilitate access to published works for persons who are Blind, Visually Impaired or otherwise print Disabled	October 14, 2017
Berne Convention	For the protection of Literary and Artistic works	October 12, 1991
Universal Copyright Convention of September 1952-1971		October 26, 1965
WTO (TRIPS Agreement 1994)	Agreement on Trade- related Aspects of Intellectual Property Rights. Administered by World Trade Organization (WTO)	May 31, 1995

4. Copyright Society of Malawi is the Government department that is responsible for laws on Copyright and Related Rights. Copyright Society of Malawi is a statutory organization established in 1992 under Section 4 of the New Copyright Act 2016 (www.cosoma.mw) Copyright Society of Malawi is Under the Ministry of Civic Education, Culture and Community Development and also works hand in hand with the Ministry of Justice, The Department of The Registrar on general issues of Intellectual Property.

5. In Malawi we have one CMO in the name of Copyright Society of Malawi (COSOMA). COSOMA was established in 1992, and begun licensing in the year 1998 as a multi-purpose CMO. COSOMA manages these sets of rights namely:

- Mechanical Reproduction

- Public Performance
- Broadcating
- Reprography

6. COSOMA represents both individual rights members and associations rights holders. There are 11 rights holder associations affiliated to COSOMA. As shown in the table below.

Name of the Association	Description
Musicians Union of Malawi (MUM)	Established in 1994, and registered in 2002 with a primary purpose to protect rights and welfare of musicians in Malawi. The Union work in collaboration with COSOMA on matters of interest to achieve a common goal (Burgaining power) e.g Licensing operations
Photographers Association of Malawi (PHOTAMA)	This representing photographer of still and motion pictures. Its core objective is to promote and protect photographic works and the Industry. This is done through capacity building activities for its memebrship, identifying business opportunities for its membership.
National Theatre Association of Malawi (NTAM)	Representing performing artist, National Theatre Association was established in 1988; a primary purpose was to protect the interests, mediates and resolves issues involving performers, drama and choreographic groups. This includes Dancers, musicians, actors and singers who express their creativity through performances.
Book Publishers Association of Malawi (BPAM)	Representing book publishers in Malawi, It wasestablished in 1996, with the core purpose to co-ordinate issues related to the book industry and contribute towards improving literacy level in Malawi and promote reading culture. COSOMA and BPAM have been closely working hand-in-hand on capicity building and out-reach programs.
Visual Arts Association of Malawi (VAAM)	Representing visual artist and established in 2002 with an ultimate goal of improving and promoting visual artistic works in Malawi (fine arts and crafts) for social economic development.
Journalist Union of Malawi (JUMA)	Representing journalist, was established in 2006 to promote the welfare of journalist through advocating for their rights and fair reporting in cultural related information
Film Association of Malawi (FAMA)	This is of the newly established association, with primary purpose to bring together and cordinate persons and groups involved in the production and promotion of firms in Malawi.
Malawi Folk Dance, Music and Song Society (MFDMSS)	Folkloric Music and Song Dancers: the Government of Malawi facilitated the establishment of Malawi Folk dance, Music and Song Society (MFDMSS) to promote and develop Malawian culture, particularly folkloric arts. MFDMSS was established 2005 but started working very close with COSOMA in 2014 in capacity building by among other things formulating and adopting its constitution and conducting leadership training and training in costume design and management.
Poetry Association of Malawi (PAM)	Poets. Represented by the Poetry Association of Malawi (PAM), founded in 1997. Its objectives include bringing together persons and/or groups involved in the promotion of poetry in the country, promote and preserve Malawian culture through poetry and to educate, inform and entertain the nation through poetic works. PAM aims to contribute unreservedly to government's goal of upholding, improving, promoting and preserving national heritage and values for identity, posterity and development.
Malawi Writers Union (MAWU)	Writers: - The Malawi Writers Union (MAWU) is a national body of creative writers in Malawi, formed in 1995. It has five distinct writers' desks namely the Budding Writers, Women Writers Desk, Non Fiction writers, Religious Writers, Schools' Affiliate and the established authors.
Malawi Union of Academic and Non-fiction Authors (MUANA)	This association representing academic and non-fiction authors was born out of Malawi Writers Union with the core to fully focus on promoting and protecting academic and non-fiction authors in Malawi. COSOMA works

	closely with MUANA on the actualization of reprographic rights licensing and lobbying The Ministry of Education on the importance of Secondary Schools on obtaining reprographic licenses.
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