



**Strathmore University**  
Centre for Intellectual Property and  
Information Technology Law



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A grassroots NLP community for Africa, by Africans



# A Right to Research in Africa?

A Week of Debates on Copyright and Access to Knowledge  
in Pretoria and Cape Town, South Africa from 23 - 27 January 2023

Register at [recreatesa.live/R2R](https://recreatesa.live/R2R) to attend in person or online.

## Provisional Programme: Cape Town 26-27 Jan 2023

All times in SAST

Thursday, 26 January – University of Cape Town	
09.00 – 09.30	<p><b>Welcome and Introductions</b></p> <p><i>Prof. Tobias Schonwetter, Director, Intellectual Property Unit, University of Cape Town</i></p> <p><i>Dr. Carlos Correa, Executive Director, South Centre</i></p>
Format of panels	<p>Each panel will be led by a moderator who will ask each panelist to comment for a maximum of 5-6 minutes on a first question or two (noted below). A roundtable discussion will then allow each speaker and the discussants to add additional issues into the discussion.</p>
09.30 – 11.20	<p><b>Session 1: After the Fires: Digitising our Heritage</b></p> <p><i>The collection, protection and preservation of African historical records and rich cultural heritage are key custodial functions of libraries, archives and museums. African special collections and unique cultural heritage artifacts need special care as they are at risk of loss or damage due to fires, such as those in Cape Town in recent years. This session will highlight the importance of cultural heritage for African countries and for research, and the obstacles that copyright law presents for digitisation programmes. It will also highlight important projects in Africa that have managed to digitise their collections, despite copyright restrictions.</i></p>

	<p>Chair: <i>Prof. Dick Kawooya, School of Information Science, U. of South Carolina</i></p> <p>What was the impact of the UCT fire on preserved collections of potentially copyrighted material? How did South Africa's copyright exceptions help or hinder the effort and what might be the impact of the CAB? <i>Nikki Crowster, Director of Information Systems, UCT Libraries</i></p> <p>How does copyright and its exceptions facilitate the role of legal deposit libraries? <i>Mymoena Londt, Library of Parliament, South Africa</i></p> <p>How can we preserve and protect African Heritage through Digitisation? <i>Mutanu Kyany'a, African Digital Heritage, Kenya</i></p> <p>What are the copyright barriers to digital preservation through Wikipedia and how does the Copyright Amendment Bill in South Africa help? <i>Douglas Ian Scott, Wikimedia South Africa</i></p> <p>How does the Rock Art Research Institute approach seek to maximise access to photographic documentation of rock art, whilst respecting creative work? <i>Mduduzi Maseko, Researcher, Rock Art Research Institute, South Africa</i></p> <p>Discussant: <i>Denise Nicholson, Scholarly Communications and Copyright Consultant</i></p>
11.20 - 11.40	Tea Break
11.40 – 13.30	<p><b>Session 2: Access to Knowledge in Africa: Health, Culture and Artificial Intelligence</b></p> <p><i>Innovation and creativity in Africa relies on access to creative works from across the continent and the world. But the global knowledge economy is skewed against the global south. In sectors as diverse as health, music and artificial intelligence, how do Africa's creators and scientists access the materials they need?</i></p> <p>Chair: <i>Kyla Mc Nulty, Record Label Manager &amp; ReCreate Convener</i></p> <p>Artificial Intelligence Simulation: The Online South African History Database <i>Ben Cashdan, Producer The Big Debate, Director, Black Stripe Foundation</i></p> <p>How do African researchers make use of journal articles, health data, and reporting in responding to health crises such as Covid19 and HIV? Are their lessons for copyright from the access to medicines movement? <i>Dr Glenda Grey, President and CEO, South African Medical Research Council (SAMRC)</i></p>

	<p>How do we ensure that African artists and musicians have access to cultural works whilst being mindful of the problems of cultural appropriation and the challenge of decolonisation? <i>Prof. Adam Haupt, Director, Centre for Film and Media Studies, UCT</i></p> <p>How do artificial intelligence applications rely on text and data mining of copyrighted materials? <i>Dr Andrew Rens, ICT Africa, Senior Researcher, ICT Africa</i></p> <p>Discussants: <i>Kathleen Siminyu, Masakhane, Kenya</i> <i>Prof. Abdou Beukeu Sow, Head of Documentary Information Department, University of Dakar, Senegal</i></p>
13.30 – 14.50	Lunch
14.50 – 16.50	<p><b>Session 3: Taking Stock: Strengthening the Voices of Africa &amp; the Global South: New Directions in WIPO, AfCFTA and Copyright in Africa. Facilitating science, creativity and innovation.</b></p> <p><i>As copyright increasingly deals with core public issues, how do we ensure that African and Global South voices, including indigenous and minority voices are amplified? What legal approaches for copyright enable this? How do legislative changes at the national level affect multilateral policy making in copyright? What opportunities and need for harmonisation arise from the African Continental Free Trade Area agreement? This session, taking stock of the previous discussions in Pretoria and Cape Town, brings together the global, the regional, the national and the local to reflect on a future copyright agenda focused on development, diversity and the public interest.</i></p> <p>Chair: <i>Dr. Viviana Muñoz-Tellez, Programme Coordinator, South Centre</i></p> <p>Bridging the gap between multilateral and national processes: where are these issues being discussed in international fora <i>Dr Vitor Ido, South Centre</i></p> <p>How can Africa use human rights instruments to strengthen its right to research and public interest in copyright law? <i>Dr Sanya Samtani, SARCHI Chair for International and Constitutional Law, UP</i></p> <p>What are copyright law approaches countries may use to enable preservation and uses of research materials? <i>Prof. Sean Flynn, American University Washington College of Law</i></p> <p>What processes at WIPO are addressing issues related to copyright user rights, including for preservation, research, and cultural heritage institutions? <i>Prof. Dick Kawooya, School of Information Science, U. of South Carolina</i> <i>Teresa Hackett, Copyright and Libraries Programme Manager, Electronic Information for Libraries</i></p>

	<p>What objectives are Africa negotiators pursuing in relation to copyright and research issues in the Africa Continental Free Trade Area Agreement? <i>Prof. Caroline Ncube, DSI-NRF SARChI Research Chair: Intellectual Property, Innovation &amp; Development, University of Cape Town</i></p> <p>How does recognition of the right to research contribute to Africa's digital transformation? <i>Prof. Desmond Oriakhogba, University of Venda</i></p> <p>Discussants: <i>Prof. Tobias Schonwetter, Director IP Unit, Faculty of Law, UCT</i> <i>Hananai Hlomanu, Researcher IP Unit, Faculty of Law, UCT</i> <i>Prof. Jeremy DeBeer, University of Ottawa, Centre for Law, Technology and Society</i> <i>Prof. Allan Rocha, Federal University of Rio De Janeiro</i></p>
16.50 – 17.30	Q&A and Closing Statements
17.30 – 19.30	Artists Unite Reception

All times in SAST

Friday, 27 January – University of Cape Town		
09.00 – 11.00	<p><b>Session 4: Wikipedia Workshop or Edit-athon:</b> visit the Wikipedia kiosk to help us improve copyright related content on Wikipedia and work with a Wikipedia editor to get it done and learn more about editing the free online encyclopedia.</p>	<p><b>Session 5: EIFL R2R Grantee Meeting (Invitation only)</b></p> <p>Chair: <i>Teresa Hackett, EIFL Copyright and Libraries Programme Manager</i></p>
11.00 – 11:20	Tea break	
11.20 – 13:00	<p><b>Session 6: Making the Copyright Amendment Bill work in South Africa: Provincial Hearings in the Western Cape and Other Provinces</b></p> <p><i>Over ten years in the making, South Africa's new copyright law is built around two core principles: Fair Royalties and Fair Use. The journey hasn't been easy, with opposition from those with an interest in the status quo. The law is supported by a broad coalition of creators and civil society groups. Come to this session to hear more about the CAB and how you can get involved in South Africa and across the world.</i></p>	

13:00 - 14:30	Lunch
14:30 - 16:00	Visit to Parliament; Photocalls

**Please note that transport for off-site visits during the conference is limited and will be provided subject to availability. Priority will be given to international delegates.**

**To ensure admittance to the venues, and/or to receive the zoom links, be sure to register in advance.**

**Register at [recreatesa.live/R2R](https://recreatesa.live/R2R) to attend in person or online.**

**To access the Pretoria programme, visit <https://recreatesa.live/PretoriaProgramme>**



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