



July 9, 2021

Dear Mr. D. Nkosi,
Chairperson: Portfolio Committee on Trade and Industry,
Parliament of South Africa

Re: Submission on the Copyright Amendment Bill (2017)

I am Dr. Dick Kawooya, a Ugandan national and an Associate Professor of Information Science at University of South Carolina in the U.S. The views expressed below are mine alone and do not represent my employer, the University of South Carolina.

I have been involved in copyright internationally and in Africa and South Africa since 2003. I was the Lead Researcher for the African Copyright and Access to Knowledge (ACA2K) Project (2007-2010) that was based at University of the Witwatersrand, Johannesburg. Between 2010 – 2014, I was a co-Principal Investigator for the African Innovation Research and Training Project and network (Open AIR. Open AIR was based at the University of Cape Town and continues without me to provide useful research on intellectual property and innovation in Africa. Finally, I have attended, and presented at, several meetings of the World Intellectual Property Organisation (WIPO), including the June 2005 Inter-sessional Intergovernmental Meeting (IIM) on a Development Agenda for WIPO.

I have keenly followed the process of the Copyright Amendment Bill through the South African Parliament since 2017. I was dismayed to see how pressure from the USTR was put on your President Ramaphosa to stall the Bill. U.S. citizens and their creative and publishing industries, benefit from fair use on a daily basis and I have witnessed that starting as a graduate student in the US between 2001 to 2010 and now as a faculty member and published researcher. I believe there is value for the creative individuals and the users of copyright in implementing a similar provision in the South African Copyright law. I have studied the sections under review and would like to submit my support for Sections 12 A, B, C and D and Section 19 B and C. All stakeholders need these limitations and exceptions in their daily lives. These Sections are excellent and could serve as a model for other African countries. I also recognise these clauses in many copyright regimes such as U.S., UK, EU, Germany, Singapore, Israel, and many more.

I am happy to provide more input as the Bill makes it way through the various stages of consideration.

Sincerely,

Dick Kawooya, PhD