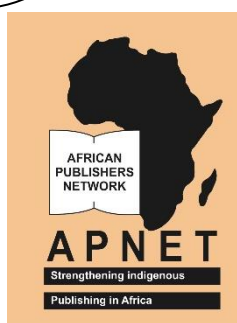


APNET-IFRRO SURVEY
ON
COPYRIGHT AND
REPRODUCTION
RIGHTS
ORGANISATIONS
(RROS) IN AFRICA

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International Federation of
Reproduction Rights Organisations

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INTRODUCTION

This survey was conducted by the African Publishers Network (APNET) in partnership with the International Federation of Reproduction Rights Organisations (IFRRO) to help achieve one of the key objectives of the African Publishers Conference, that is, to strengthen copyright and existing Reproduction Rights Organisations (RROs) and establish new ones in Africa.

“Collective management organisations (CMOs) in the text and image sector are referred to as RROs (Reproduction Rights Organisations). RROs are normally set up and governed jointly by authors and publishers”¹.

The state of copyright and RROs in Africa is gradually improving. It is important to state that national copyright offices, RROs and associations including APNET do have quality partnership and support from continental and global organisations such as IFRRO, World Intellectual Property Organisation (WIPO), The African Regional Intellectual Property Organization (ARIPO), African Intellectual Property Organization (OAPI) (OAPI) among others to address the aforementioned objective. Some accomplishments have been achieved in terms of the promotion and strengthening of copyright advocacy and capacity building through training for authors and publishers as copyright owners of literary works. There is the formation of new RROs and existing RROs some support to make them functional and sustainable.

RROs or multipurpose (or multi-repertoire) CMOs managing reprographic and similar reproduction rights have been formed in 25 African countries, of which 12 (just under ¼ of the) continent’s countries already collect remuneration for such use, with nine also having systems in place for distributing reprographic fees to authors and publishers. Not all have responded to the survey questionnaire. This means that more than half of the countries in Africa do not have RROs or multipurpose/ multi-repertoire CMOs, which administer reprographic and similar reproduction rights.

The purpose of this survey is to provide information on the state of copyright and RROs in Africa to help direct efforts, investment and support. The survey will comparatively provide knowledge on what has been done and the industry needs that need to be met.

Research was one of the pillars that initiated the formation of the African Publishers Network (APNET) in 1992. The profession and business of publishing in Africa involves developmental changes and this requires research to reveal the needs, new ways, technology and opportunities of the book industry. APNET in partnership with WIPO and IFRRO organised the first edition of the African Publishers Conference in Abidjan, Côte d’Ivoire from 27th to 28th June, 2023. The 2nd edition of the Conference was hosted by ARIPO and Zimbabwe Book Publishers Association in Harare, Zimbabwe from 3rd to 4th June, 2024. APNET with the supportive partnership of WIPO, IFRRO and UNESCO organised the Conference.

The Conference is one of the innovative ways of bringing representatives of African Publishers’ Associations and stakeholder organisations together to discuss and document the challenges, opportunities and solutions that will help to develop book publishing and the publishing industry in Africa. This survey emanates from the Conference Action Plan.

This survey is one of the main focus and measures (tools) of the Conference Action Plan to understand the copyright and reprography/collective management in Africa and to enhance the copyright ecosystem and RROs in Africa.

¹ Stokkmo, O. (2024). Collective management of rights in the publishing sector. Geneva: IFRRO

WIPO and IFRRO have jointly launched two projects aimed at strengthening management of reprography in African countries, one directed towards Anglophone, the other towards Francophone countries. Twenty-nine countries on the continent are involved in the project, of which 24 as project partners, and five are observers. The APNET initiatives, including the survey, aim inter alia to support this initiative.

OBJECTIVES

The survey sought to:

- Understand copyright and the provisions of the national copyright laws in relation to reprographic remuneration.
- Identify African countries with active, inactive or no Reproduction Rights Organisations (RROs).
- Understand reprography/collective management in Africa to direct advocacy, training and projects at the national and continental level.

METHODOLOGY

The electronic survey questionnaire (in Google Forms) was developed in English and French. The links were shared with APNET members and other non-member African publishers. IFRRO also supported the data collection by sharing with their African members (RROs) to respond to the questions.

The population of the study was 32 African Publishers' Associations; publishers and representatives from other 22 African countries. The survey questionnaire was also distributed to 25 RROs and other CMOs participating in joint WIPO-IFRRO projects aimed at enhancing management of reprographic and similar rights in African countries.

The survey attracted thirty-four (34) responses from twenty-eight (28) African countries. The respondents were representatives of African Publishers' Associations (NPAs) and executives of RROs that are IFRRO Members.

Table 1: African countries that responded to the survey questions.

Algeria	Malawi	South Sudan
Burkina Faso	Mali	Sudan
Burundi	Morocco (2)	Tanzania (2)
Cameroun	Namibia	Togo
Egypt	Nigeria (2)	Tunisia
Ghana	Rwanda	Uganda
Guinea	Senegal	Zambia (2)
Kenya	Sierra Leone	Zimbabwe (2)
Lesotho	Somalia	
Madagascar (2)	South Africa (3)	

Note: Countries with more than one respondent have the numbers in brackets.

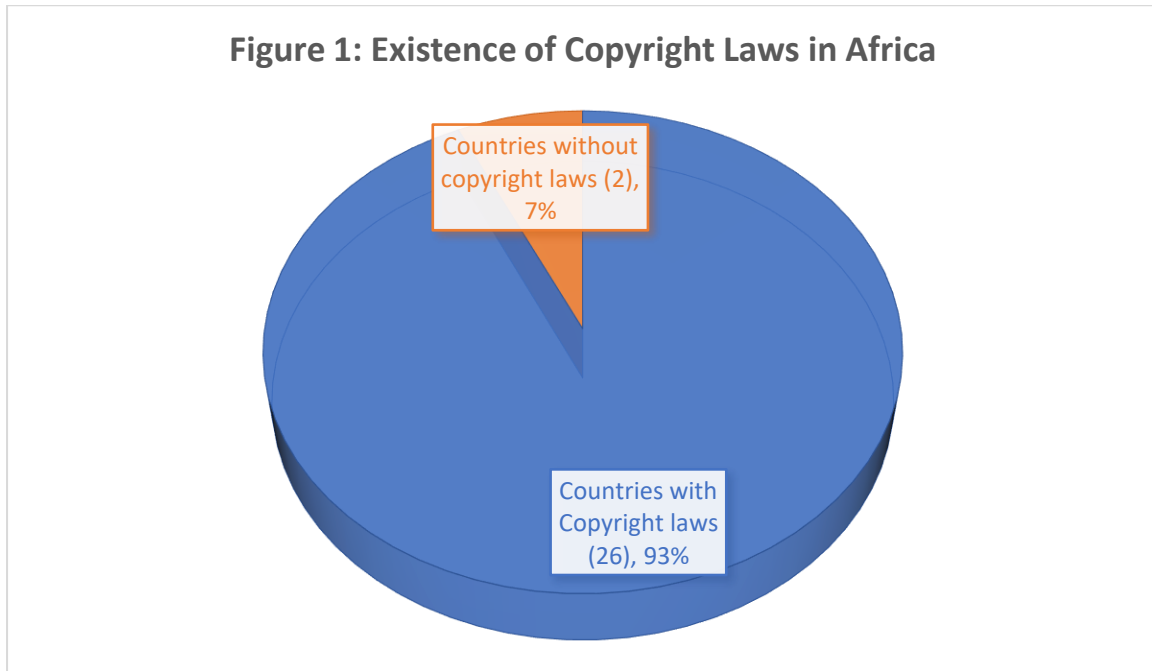
The main challenge of the data collection that was communicated to the APNET Secretariat was the inability of some publishers to answer the questions. Some of these publishers informed the APNET Secretariat that they would share with other individuals or offices that could respond to the questions. Unfortunately, no response was received after regular follow-ups.

RESULTS

SECTION 1: UNDERSTANDING COPYRIGHT IN AFRICA

Existence of Copyright Law

According to the survey, all the participating African countries indicated the availability of copyright laws in their countries. However, respondents from Somalia and South Sudan stated that they do not have their own national copyright laws.



All the African countries, with the exception of Somalia and South Sudan, thus have national copyright laws that protect the works of authors and publishers². For most of the African countries, these copyright laws have been in existence for decades.

It was observed at APNET Secretariat, that publishers or national publishers' associations in some African countries struggle to access their copyright law. This unavailability and inaccessibility of the copyright law contributes to the challenges confronting professionals in the book industry.

Specific Provisions of the Copyright Law to Protect Publishers

Copyright law has innumerable relevance to the book industry. It protects the ownership and investment of authors and publishers of literary works. It provides security to books and services as valuable assets to the book industry and the populace. Copyright law also protects moral and economic rights of authors and other creators and thus also economic rights of publishers. This incentivises book industry professionals, especially authors and publishers to develop and publish more books. Copyright law regulates matters which include the usage and eligibility of works in the ambit of copyright and its violations. It supports compensation to

² Open Law Africa. <https://www.openlawafrica.org/copyright-in-legal-information-africa>

authors and publishers for the use of their works. The survey probed into the inclusion of specific provisions to protect publishers such as protection of the typographical arrangements.

Table 2: Availability of specific provisions in the copyright laws to protect publishers

According to the survey responding countries, the following are African countries with copyright laws that have or do not have specific provisions to protect publishers.

African countries with copyright laws that have specific provisions to protect publishers	Algeria, Burundi, Cameroun, Egypt, Kenya, Malawi, Nigeria, Rwanda, Sierra Leone, South Africa, Sudan, Tanzania, Tunisia, Uganda, Zambia, Zimbabwe.
African countries with copyright laws that do not have specific provisions to protect publishers	Burkina Faso, Ghana, Lesotho, Namibia, Somalia, South Sudan, Togo, Madagascar, Guinea, Morocco, Senegal, Mali

From the above table, 16 countries representing 57% express the inclusion of specific provisions in the copyright laws to protect publishers. On the other hand, 12 countries occupying 43% indicate that their copyright laws exclude specific provisions in the copyright laws to protect publishers.

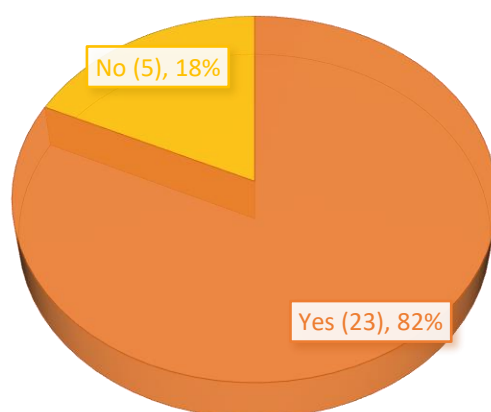
Exceptions or Limitations to the Exclusive Rights of the Copyright Law

Exceptions or Limitations to the Exclusive Rights of the Copyright Law involve:

-  Permitted uses without authorization and remuneration (e.g. quotation, illustration, news reporting, “fair use”). This allows for the use of copyrighted material in specific conditions without infringing on the copyright holder's rights.³
-  Permitted uses by law with remuneration: mandatory or compulsory licensing system (obligation to pay remuneration for reprography, private copy remuneration or levies, etc.).

³ Woods, M. (2015). Limitations and Exceptions to Copyright and Related Rights. Geneva: WIPO.

Figure 2: Inclusion of exceptions and/or limitations to the exclusive rights in the copyright law



18% of the respondents, that is from Madagascar, Mali, Rwanda, South Sudan and Somalia indicate that their copyright laws do not include exceptions and limitations to copyright with or without obligations to remunerate rightsholders. The majority of African countries representing 82% have exceptions or limitations to the exclusive rights or reproduction in their copyright law.

Provisions in the copyright law on compensatory remuneration

On the issue of the copyright law including provisions on compensatory remuneration for private copying of copyright works to be collected on equipment and devices, the table below provides the state of the participating countries.

Table 3: Copyright law provisions on compensatory remuneration for private copying

Indicator	African Countries
Inclusion of the provisions on compensatory remuneration in the copyright law	Algeria, Burkina Faso, Cameroun, Ghana, Guinea, Kenya, Malawi, Namibia, Nigeria, Senegal, Sierra Leone, Tanzania, Togo, Zimbabwe, Madagascar, Morocco, Tunisia and Mali.
Exclusion of the provisions on compensatory remuneration from the copyright law	South Africa, Rwanda, Somalia, Uganda, Zambia, Lesotho, South Sudan, Sudan and Burundi.

According to the survey, 18 countries representing 64% have copyright law provisions on compensatory remuneration for private copying of copyright works to be collected on equipment and devices. However, the book industry of 9 countries occupying 32% do not enjoy such provisions. There was no response from Egypt.

In Madagascar, collection of the private copy remuneration does not include collection on reprographic equipment, whereas in Tunisia the private copy remuneration is referred to as

collection of remuneration towards the “Encouragement Fund”. In Morocco, at least, distribution of remuneration collected on reprographic equipment has not yet started.

Remuneration Collected on Reprographic Equipment

Publishers and RROs were asked whether based on the copyright law provisions on the compensatory remuneration for private copying, remuneration is collected on reprographic equipment (photocopiers, printers, scanners, faxes, multifunctional machines).

Table 4: Remuneration collected on reprographic equipment

Indicator	African Countries
Remuneration collected on reprographic equipment	Kenya, Tanzania, Nigeria, Namibia, Ghana, Algeria, Malawi, Burkina Faso, Guinea, Cameroun, Morocco, Tunisia.
No collection of remuneration on reprographic equipment	Burundi, Lesotho, Madagascar, Mali, Rwanda, Senegal, Sierra Leone, South Africa, South Sudan, Somalia, Sudan, Togo, Uganda, Zambia, Zimbabwe

“Private copy remuneration collected on multimedia (digital) devices reserved for authors and publishers of text- and image-based works

In some African countries, when remuneration is collected on equipment and devices – upon their import or local manufacturing - to compensate copyright holders for private use of their works (private copy levy), there is a portion of the collected remuneration reserved for authors and publishers of written published works (text- and image-based works). However, authors and publishers in other countries do not receive any remuneration.

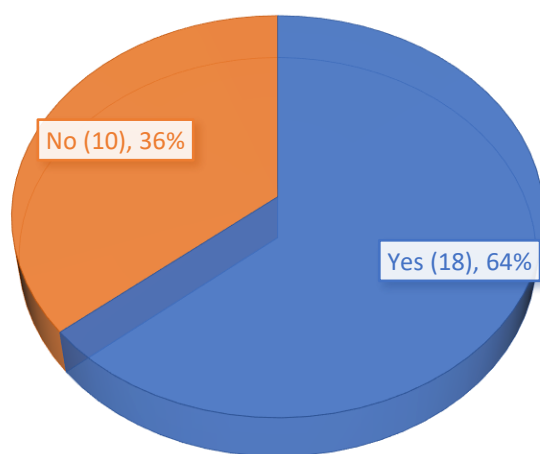
Table 5: Reprographic Remuneration for Authors and Publishers

Indicator	African Countries
Remuneration reserved for authors and publishers	Algeria, Burkina Faso, Cameroun, Ghana, Guinea, Kenya, Malawi, Namibia, Nigeria, Tanzania, Tunisia.
No remuneration is reserved for authors and publishers	Burundi, Lesotho, Madagascar, Mali, Morocco, Rwanda, Senegal, Sierra Leone, South Africa, South Sudan, Somalia, Sudan, Togo, Uganda, Zambia, Zimbabwe.

It should be noted that countries listed above have the policy or system of reserving remuneration for authors and publishers. It should be understood that not all of them such as Kenya, Tanzania and Guinea practically collect and distribute remuneration to the rights holders.

Stipulations on Collective Management Organizations and Collective Management of Rights in the Copyright Law

Figure 3: Copyright law include stipulations on collective management organizations and collective management of rights



With reference to the data, 10 countries representing 36% do not have stipulations on collective management organizations and collective management of rights in the copyright law. They constitute South Africa, Rwanda, Sierra Leone, Somalia, South Sudan, Madagascar, Guinea, Burundi, Togo and Mali.

18 countries which occupy 64% have stipulations on collective management organizations and collective management of rights in the copyright law. They are Algeria, Burkina Faso, Cameroun, Egypt, Ghana, Kenya, Lesotho, Malawi, Morocco, Namibia, Nigeria, Senegal, Sudan, Tanzania, Tunisia, Uganda, Zambia and Zimbabwe.

Respondents from Zimbabwe, Malawi, Sudan, Madagascar, Morocco and Tunisia indicate that there is a specific law on collective management of rights and collective management organizations. All these countries except Madagascar also indicate that their copyright laws have stipulations on collective management organizations and collective management of rights in the copyright law.

Copyright Amendment Bill

The copyright laws of the various African countries have been in existence for decades. Some of the countries have amended their copyright laws: Zimbabwe (Copyright and Neighbouring Rights Act of 2000 amended in 2004), Burkina Faso (the Copyright Law of 1983 was amended in 2019), Kenya (Copyright Act, 2001 was amended in 2019), Sudan (amended the 1996 Copyright and Neighbouring Rights Protection Act in 2013), Angola (enacted a new Copyright and Related Rights Law in 2014 to replace the 1990 Law), Morocco (has amended its copyright law multiple times in 2006, 2014 and 2022 to reflect latest updates), Seychelles [enacted a new Copyright Act 2014 to repeal the previous Copyright Act (Cap. 51)], Ivory Coast (enacted copyright law in 2016 to replace the 1996 law, thereby modernising the country's copyright framework), Malawi (updated its copyright legislation with the enactment of the Copyright Act of 2016 to replace the Copyright Act of 1989 as amended in 2001), Sao Tome & Principe

(amended its 1966 Law with the Copyright and Related Rights Code in 2017), Swaziland (amended its copyright laws by enacting Copyright and Neighbouring Rights Act of 2018 to repeal the outdated Copyright Act of 1912) and Nigeria (amended the copyright law in 2022 but gazetted and published in 2023). Ghana passed the Copyright Regulations of the Copyright Act 2005 (Act 690) in 2010 and the Copyright Regulations were amended in 2023. Based on the findings under the existence of copyright laws in Africa, some of the African countries have not amended their copyright laws since enactment to sufficiently satisfy authors' rights and to also catch up with modern dynamics affecting the business of publishing and the book industry.

It is obvious that publishing is evolving and embracing different transformative technologies. There are also diversities books – from printed books to eBooks, audiobooks and braille. The various copyright laws mostly capture books or literary works in general without specific provisions to eBooks and how books generated from certain technologies like artificial intelligence (AI) should be treated. The survey identifies countries that have Copyright Amendment Bill or have a bill under preparation.

Table 6: Copyright Amendment Bill or a bill under preparation

Copyright Amendment	African Countries
Copyright amendment bill	South Africa, Zimbabwe, Rwanda, Kenya, Uganda, Zambia, Namibia, Ghana, Senegal, Madagascar and Togo.
No copyright amendment bill	Algeria, Burkina Faso, Burundi, Cameroun, Egypt, Guinea, Kenya, Lesotho, Malawi, Mali, Morocco, Nigeria, Sierra Leone, South Sudan, Somalia, Sudan, Tanzania and Tunisia.

Out of the 10 countries above that have either amended their copyright laws or have a bill under preparation, only South Africa and Madagascar expressed that it is too late to submit comments to the amendments.

Expected Assistance from APNET and/or other International Organizations in the Field of Copyright

Representatives of the African publishers' associations and the Reproduction Rights Organisations (RROs) were asked to state the kind of assistance they expect from APNET and other international organizations which include IFRRO concerning the copyright amendment.

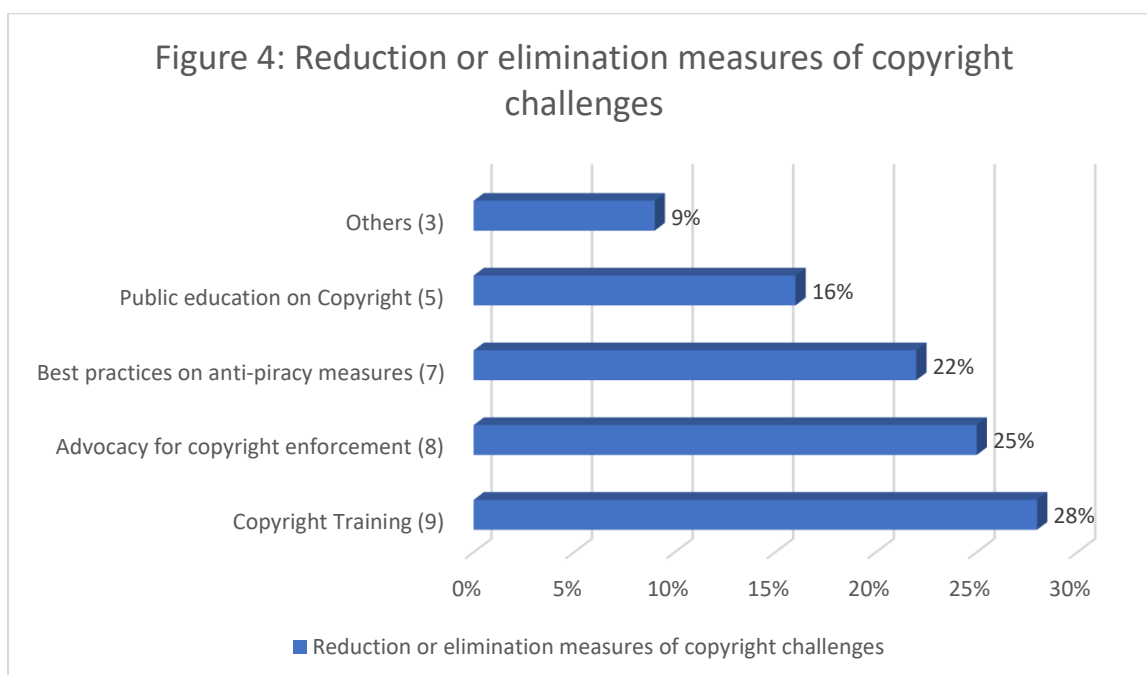
Table 7: Expected assistance from APNET and/or other international organizations in the field of copyright

Countries	Expected role from APNET and/or other international organizations in the field of copyright
South Africa	• Amendment process is now about to end. • We need to engage our government that our Copyright Amendment Bill does not sufficiently protect author rights, due to the fair use clause being too wide, opening up too many exceptions.
Zimbabwe	• Amendment already done on our copyright act. • Copyright training

Rwanda	• Working with Rwanda Publishers Association (RPA) to submit some amendments on CMO
Kenya	• Assist in speeding registration process of the CMO for collection of remuneration for authors and publishers. • Through intense training with regards to the copyright law.
Uganda	• We will require their technical input on key clauses. • Also support in mobilizing local right holders to lobby legislators. The bill will soon be tabled to Parliament for discussion and then public hearings will also be scheduled that is when APNET and other Organizations can come in.
Zambia	• By helping with drafting the most favorable provisions that can be submitted for consideration by those in charge of drafting the Bill. • Help the Zambia Reprographic Rights Society with capacity building and with also draft bills made in other regions to help them push for amendments.
Namibia	• Submit comments on copyright amendment bill via CMRR, the Namibian RRO.
Ghana	• Submitting Comments on sections to improve on in the current Copyright Act.
Madagascar	• Organize a study session on the state of impact, support for developing amendment of the copyright law, and connection with a copyright expert.
Burundi	• By sending an official advocacy letter addressed to the Ministry of Culture of Burundi
Morocco	• Copyright training and more advocacy
Senegal	• By sending Senegalese Publishers Association a proposal in favor of publishers and authors in LAW 2008-09 and which will be transmitted to the expert responsible for working on the revision of said Law.
Mali	• By contacting the Malian Human Rights Office BURDA

Measures to Mitigate against Copyright Challenges

African publishers' associations and RROs outline ways APNET, IFRRO and/or other international organizations in the field of copyright can be of assistance to reduce or eliminate copyright challenges at the national level.



According to the survey, copyright training is the leading measure required by the African book industry to reduce or eliminate copyright challenges. Limited knowledge and understanding of the copyright law, limited understanding of the causes of copyright infringement, inadequate/poor application of the law, widespread infringement due to weak capacity of publishers such as poor book distribution among others require training for the book industry professionals especially authors, publishers and officers at national copyright offices. Publishers and authors need more training on how to fight digital book piracy. Such trainings become more impactful when they are organized at the national level for authors, publishers, illustrators and other professionals in the book industry.

Advocacy for copyright enforcement is the next critical solution to the challenges facing copyright protection in Africa. There is poor enforcement of copyright laws in Africa due to weak enforcement systems and institutions such as national copyright offices. Copyright offices across Africa face challenges which include inadequate resources for administration, operations and projects, lack of robust and constant advocacy and anti-piracy campaigns. Poor enforcement of copyright gives rise to piracy and all other forms of copyright infringements, revenue loss by creators and rights holders, disincentive to invest and publish more literary works, unutilized industry potentials and opportunities and underdeveloped cultural and creative sector and economy. Ineffective copyright protection makes investment in the book industry risky, demotivating and unattractive. Indigenous publishers suffer from unhealthy competition with cheap, domestic and imported pirated books. Also, weak copyright enforcement adversely affects international partnerships because international publishers may not trade in markets where copyright laws are not enforced thus limiting trade in rights and distribution opportunities in the local market. Weak copyright enforcement reduces government revenue (taxes) as legitimate book sales and publishing-related businesses decline.

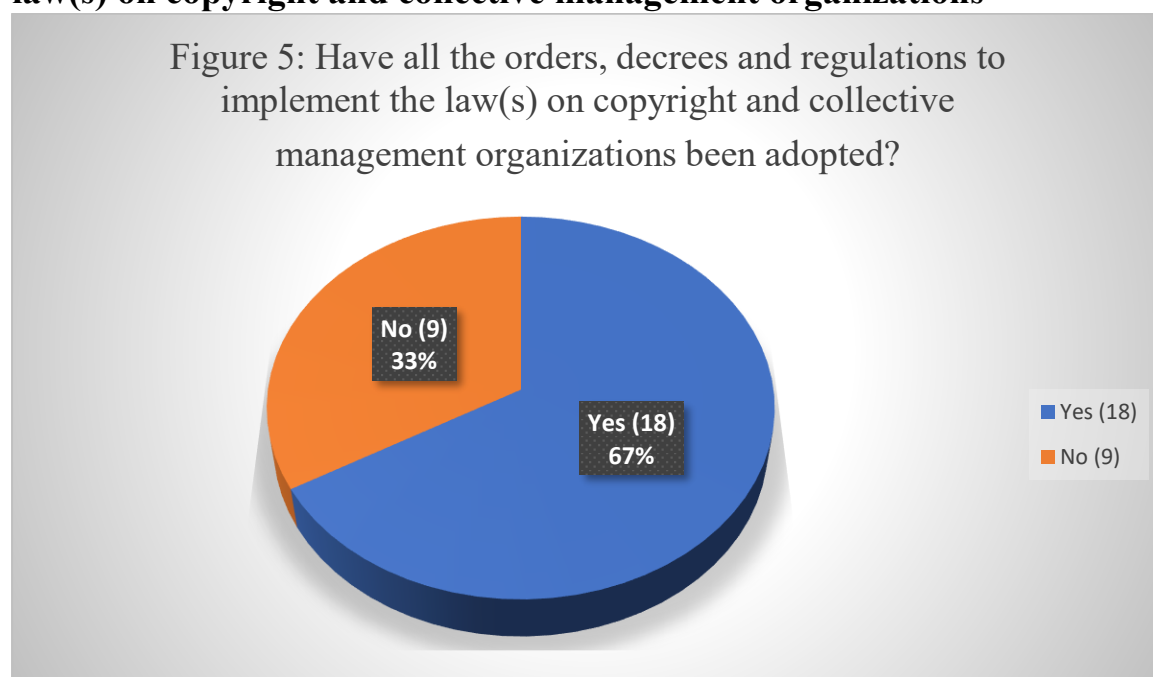
Best-practice on anti-piracy measures remain a powerful tool to reduce piracy and empower publishers to build a competitive capacity over pirates. This can be achieved through training by experts, sharing of experiences and usage of modern anti-piracy technologies.

Public education on copyright to educational institutions (students and lecturers), educators, law enforcement, judiciary and the populace. Inadequate knowledge and understanding of copyright can lead to widespread plagiarism/academic dishonesty. Schools and universities may use copyrighted materials without licensing and violating intellectual property.

Table 8: Areas of support to reduce or eliminate copyright challenges

Areas of support to reduce or eliminate copyright challenges	African Countries
Copyright Training	Zimbabwe, Lesotho, South Sudan, Sudan, Madagascar, Guinea, Cameroon, Mali, Tunisia.
Advocacy for copyright enforcement	Rwanda, Tanzania, Zambia, South Africa, Algeria, Burundi, Morocco, Madagascar.
Best practices on anti-piracy measures	South Africa, Kenya, Ghana, Malawi, Burkina Faso, Senegal, Morocco.
Public education on Copyright	Nigeria, Sierra Leone, Uganda, Namibia, Zambia
Others	• Sensitizing the SA government that the SA CAB is in breach of international copyright treaties. • Help establish Copyright mechanism, capacity building to create awareness in Somalia. • Survey on photocopy and digital download in universities in Nigeria.

The adoption of all the orders, decrees and regulations to implement the law(s) on copyright and collective management organizations



The following countries indicated ‘No’ that not all the orders, decrees and regulations to implement the law(s) on copyright and collective management organizations have been adopted: South Africa, Rwanda, Nigeria, Sierra Leone, Madagascar, Senegal, Somalia, Sudan and Mali. There were opposing responses from the two Moroccan respondents from BMDAV

(Moroccan Copyright and Neighbouring Rights Office) and the Publishers' Association. The respondent from BMDAV confirms that all the orders, decrees and regulations to implement the law(s) on copyright and collective management organizations in Morocco have been adopted. However, the other respondent from Morocco indicates that these the orders, decrees and regulations have not been adopted. There was no response from Namibia and Uganda for this question which represents 7%.

Missing Areas or Regulations for implementation of laws on copyright and collective management organizations (CMOs)

The countries below outline orders, decrees and regulations that are missing to implement the law(s) on copyright and collective management organizations.

Table 9: Missing areas/regulations of laws on copyright and CMOs

African Countries	Issues/Areas missing
Zambia	The issue of prosecution has never been done
Zimbabwe	Reprography and collective management
South Africa	• The Copyright Amendment Bill has been referred back, due to breaches and non-protection of rights. • Copyright Amendment Bill pending.
Cote d'Ivoire	The creation of the national book council
Rwanda	The CMO is still under review and awaiting cabinet approval
Nigeria	Framework for the implementation of the Copyright Levy Order
Sierra Leone	Many lapses and challenges exist.
Namibia	Sectoral implementation of copyright.
Madagascar	• Strengthen the copyright management capacity of all stakeholders who create works. • Update of the decree on the general collection of copyright royalties.
Mali	Florence Agreement

SECTION 2:

UNDERSTANDING REPROGRAPHY/COLLECTIVE MANAGEMENT IN YOUR COUNTRY

This session provides understanding on the state of Reprography/Collective Management in Africa. International Federation of Reproduction Rights Organisations (IFRRO) defines RROs as: “*Organizations that collectively manage the reproduction rights of copyright holders, particularly in the field of text and image-based works.*”⁴ A Reproduction Rights Organisation (RRO) is a collective management organization responsible for managing reproduction and related rights on behalf of copyright holders, particularly in the text- and image-based works sector. These organizations facilitate the legal use of copyrighted materials by issuing licenses, collecting royalties, and ensuring rightsholders are fairly compensated.

Key functions of RROs include:

- **Licensing:** RROs issue licenses for the reproduction of printed works (e.g., photocopying, scanning, digital use, normally of excerpts of legally published works for internal/institutional use) to educational institutions, libraries, businesses, government agencies and private corporations and any other user of excerpts of published works.
- **Remuneration Collection and Distribution:** They collect fees from licensed users and distribute remuneration to authors and publishers based on usage data or representative models and, where appropriate, on relevant equipment, for instance for private use.
- **Monitoring and Enforcement:** RROs track the use of copyrighted works and help prevent unauthorized copying and distribution.
- **Education and Advocacy:** They promote awareness of copyright law and advocate for the interests of rightsholders in policy-making processes.
- **International Cooperation:** RROs often collaborate through international networks like the IFRRO and WIPO to manage rights globally.

The existence of a Reproduction Rights Organisation (RRO)

19% of the countries responding to the survey, representing 68%, have RROs whereas 9 countries occupying 32% do not have RROs. Kenya is working on forming one. Zimbabwe and Namibia have recently formed their RROs.

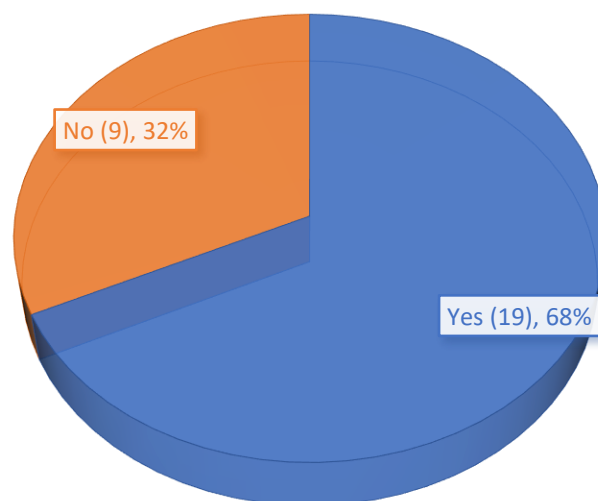
Table 10: African countries with or without Reproduction Rights Organisation (RRO)

RROs in the country	African Countries
Yes	Algeria, Burkina Faso, Burundi, Cameroun, Ghana, Lesotho, Malawi, Morocco, Namibia, Nigeria, Senegal, South Africa, Sudan, Tanzania, Tunisia, Togo, Uganda, Zambia, Zimbabwe
No	Rwanda, Sierra Leone, Somalia, Kenya, South Sudan, Madagascar, Guinea, Burundi, Mali.

⁴ International Federation of Reproduction Rights Organisations (IFRRO). (n.d.). What are RROs?. Retrieved May 14, 2025, from <https://www.ifrro.org/about/what-are-rros/>

From the survey, one-third of the African countries do not have RROs. It is fair to state that the formation of RROs in Africa is improving but more RROs should be formed in countries with the political will.

Figure 6: The existence of Reprographic rights organisations (RROs)



Previous RROs in the countries that do not currently have RROs and their reasons

With reference to African countries that do not have RROs, only Kenya previously had a RRO. They are working on forming another RRO. The rest of the 8 countries do not currently have a RRO and did not previously have a RRO. The following are reasons given by respondents in countries without specific RROs.

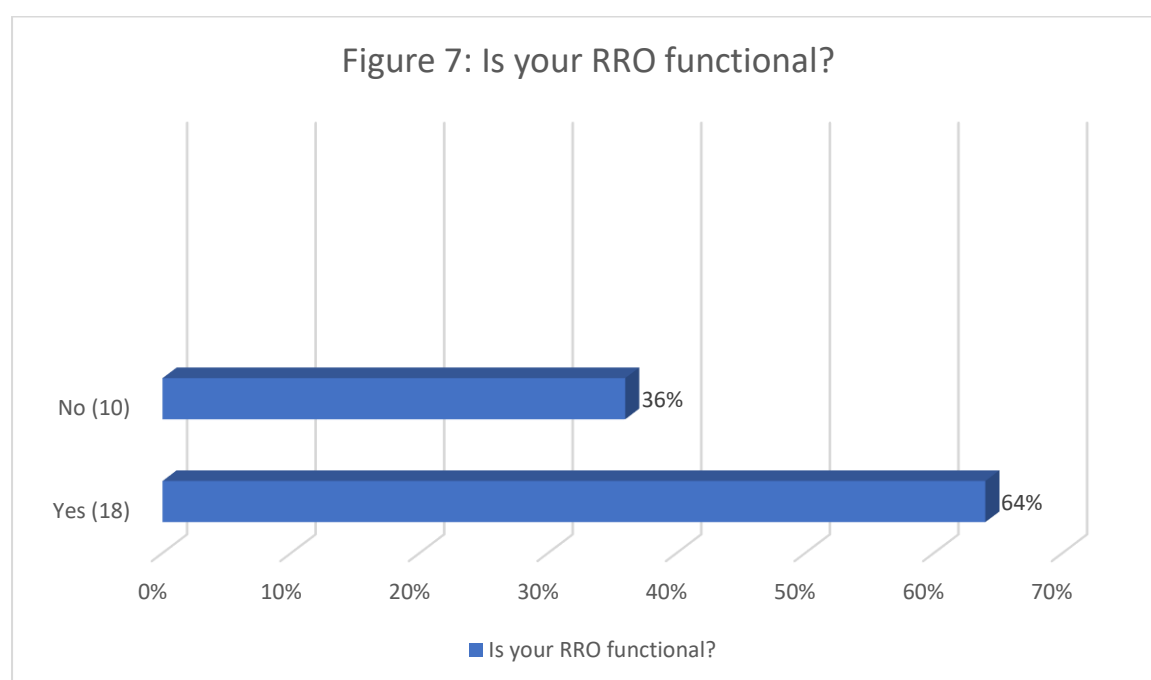
- In the case of Sierra Leone, it is due to lack of interest and other challenges.
- Tanzania Reproduction Rights Society (TANRRS) is being formed, awaiting license from Copyright Office. Also, bureaucratic procedures are part of the hinderances.
- Somalia has been undergoing a protracted civil war for over 3 decades laying waste to all institutions and infrastructure. Thus, inhibiting the formation of a RRO.
- In Kenya, application for a new RRO has taken too long to be registered by the Government.
- In South Sudan, there is no copyright law or any other law that supports the formation of a RRO.
- In Madagascar, the inexistence of a RRO is attributed to lack of political will. Copyright implementation is ineffective.
- Burundi Publishers Association states that they (Burundi) are not aware of the Reproduction Rights Organisation.
- The collective management organization in Senegal is multi-repertoire and also manages the reprographic reproduction rights.

Table 11: Expected support from APNET, IFRRO and other international bodies to form a RRO

Expected support from APNET, IFRRO and other international bodies	African Countries
Training	Sudan, South Sudan, Burkina Faso, Madagascar, Guinea, Burundi, Morocco, Senegal, Mali, Tunisia.
Advocacy	Rwanda, Kenya, Algeria
Registration guidelines	Sierra Leone
Financial support	Tanzania, Zambia.
Others	Somalia - Financial support, establishing copyright mechanism and training

The Functionality of the RROs

Nearly 2/3 of the responding countries reported that there is a functional RRO or multi-repertoire CMO managing reprographic rights in their country.



The Involvement of Publishers or the National Publishers' Association (NPA) in the RRO's Work

Table 12: Involvement of Publishers and Publishers Association in the work of the RRO

Only three countries reported that the publishers are not involved in the work of the RRO or multi-repertoire CMO managing reprographic rights.

Involvement of Publishers and Publishers Association in the work of the RRO	African Countries
Individual publishers involved	Togo, Zambia, Namibia, Sudan, Cameroon, Mali
The Publishers Association (PA) involved	Nigeria, Tanzania, Uganda, Malawi, Lesotho, Burkina Faso, Senegal, Tunisia
Both individual publishers and the PA involved	South Africa, Zimbabwe, Sierra Leone, Kenya, Ghana, Algeria,
Publishers are not involved	Madagascar, Guinea, Morocco,

Publishers in Leadership Positions

Respondents state whether publishers who are involved in the work of RRO occupy leadership position such as the RRO Board or other governing bodies.

Table 13: Publishers in leadership positions of RRO

Publishers in leadership positions of RRO	African Countries
Publishers involved in the RRO Board	Burkina Faso, Ghana, Sierra Leone, Senegal, Nigeria, Uganda, Kenya, Tanzania, Zimbabwe, Uganda, Lesotho, Sudan, South Africa, Tunisia.
Not involved in the RRO Board	Algeria, Malawi, Mali, Morocco, Guinea.

In the case of Zambia, there are two opposing responses on the involvement of publishers on the RRO Board or other governing bodies. Respondent from Zambian Reprographic Rights Society (ZARRSO) states that publishers are involved whereas an executive from the Book Publishers Association of Zambia (BPAZ) indicates that publishers are not involved in the leadership role of the management of the RRO.

The Collection of remuneration from the licensed organisation(s)

The essence of the RRO is anchored on the collection of reprographic remuneration and distribution to right holders. Without this function, the operations of the RRO are not complete.

Table 14: Remuneration collected from licensed organisations

Remuneration collected from licensed organisations	African Countries
Yes	Cameroon, South Africa, Zambia, Ghana, Malawi, Burkina Faso, Morocco,
No	Algeria, Burundi, Egypt, Guinea, Kenya, Lesotho, Madagascar, Mali, Namibia, Nigeria, Rwanda, Senegal, Sierra Leone, South Sudan, Somalia, Sudan, Tanzania, Togo, Tunisia, Uganda, Zimbabwe

Out of 28 African countries that participated in the survey, 7 of them representing 25% do collect remuneration from licensed organisations.

- a. In South Africa, remuneration for reprography is collected and distributed on the basis of licensing agreements (*i.e.* no collection on equipment).
- b. In Morocco and Algeria, remuneration for reprography is collected on reprographic equipment only (*i.e.* no licensing agreements); In Algeria, monies are distributed for collective uses, whilst distribution has not yet begun in Morocco.
- c. In Burkina Faso, Cameroun, Ghana and Malawi, there is remuneration collected on the basis of licensing agreements as well as on equipment. They all distribute collected fees to authors and publishers. This is also envisaged in the laws of Côte d'Ivoire, although remuneration has, so far, only been collected on equipment, and no distribution of reprographic fees has taken place.

By extension to Africa, it seems fair to estimate that 15% of African RROs practically collect and distribute remuneration to authors and publishers.

The establishment of system for the distribution of collected remuneration

The following 9 countries confirm that a system for the distribution of collected remuneration has been established. They are South Africa, Zambia, Nigeria, Namibia, Ghana, Malawi, Burkina Faso, Cameroun and Tunisia.

Publishers and authors receive reprographic remuneration from the RRO

According to the survey, RROs in South Africa, Zambia, Ghana, Malawi and Burkina Faso distribute reprographic remuneration to publishers and authors.

CONCLUSION

Copyright protection and reproduction rights management are very fundamental to the growth of the African book industry and the protection of the intellectual property of authors and publishers. African countries except Somalia and South Sudan have copyright laws. Although these copyright laws may be similar in some areas, specific provisions of the copyright laws which include protection of authors and publishers, and exceptions and limitations to the exclusive rights being too wide as in the case of South Africa.

Some of the countries do not have provisions in the copyright law or in other laws to support collective management of reprographic and similar rights, for example, on compensatory remuneration. This makes the work of a RRO and the collection of reprographic remuneration more challenging. Several respondents have emphasized the benefit of some form of support in the legislation for the management of those rights.

Several copyright laws in Africa have not been amended since enactment and certainly require amendments. Only a few African countries are undergoing copyright amendment process and a strong advocacy is also required in other countries that need copyright amendment. Publishers and authors in collaboration with their associations should give adequate attention to their copyright law, its gaps and how to fix those gaps through amendments by government.

The formation of Reproduction Rights Organisations (RROs) is gradually increasing in Africa. Most of the RROs are not performing their functions of collecting and compensating authors and publishers due to some challenges. While the survey reveals 25% of African RROs that

collect remuneration for rights holders; by extension to Africa, it is estimated that 15% of African RROs practically collect and distribute remuneration to authors and publishers.

The contributions of WIPO, IFRRO and all other international organisations that are committed to the development of copyright and RROs in Africa through laws, advocacy, training, technical support and financial support are commendable. Over the few years, APNET has given copyright protection and Reproduction Rights Management a topmost priority.

RECOMMENDATIONS

Based on the findings of the survey, the following recommendations are made:

- i. There should be enhancement of partnership among National publishers' association, Copyright office and RRO (if any) to undertake joint projects for mutual benefit.
- ii. Copyright offices should enhance the availability and accessibility of the copyright law to professionals in the book industry and the general public.

Training

- iii. Most of the publishers, authors and other professionals in the industry lack understanding of the copyright law and the work of the RROs. There should be more training and meetings for the industry professionals on copyright and the operations of RROs.
- iv. National publishers' associations should collaborate with RROs and other organisations (which include APNET, WIPO, IFRRO, OAPI and ARIPO) to intensify training and advocacy for copyright enforcement.
- v. There should be public education on copyright to educational institutions (students and lecturers), educators, law enforcement, judiciary and the populace.

Advocacy

- vi. There is the need for a robust national, regional and continental advocacy for governments to strengthen enforcement copyright institutions, invest and prioritize intellectual property (IP) as part of the essentials in the nation building.
- vii. African countries with copyright laws that do not make provisions for reprographic compensation to authors, publishers and other right holders, etc should be amended.
- viii. National publishers' associations that need professional and technical support to facilitate a suitable copyright amendment bill process should
- ix. Publishers should support the efforts of the WIPO-IFRRO reprography projects aimed at enhancing management of reprography in African countries.

Reproduction Rights Organisation (RRO)

- x. Publishers Associations should acquire more knowledge and take the leading role in the formation of a RRO in the country.
- xi. Publishers Associations should, when required and appropriate, take the lead, and seek to take an active part in the governance and activities of the RRO or multi-repertoire CMO managing reprography.

- xii. RROs should establish a robust synergy with the book industry, especially with the Publishers and Writers associations to advance the RRO. For instance, securing authorization to collect remuneration and distributing to the rights holders.