

**Abstract**

**A Study on Tentatively Named “Agreement on Copyright of two Koreas” for Preparing for Negotiating Issues on Copyright between two Koreas**

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Since the Panmunjom Declaration South Korea was able to communicate well with North Korea, however, recently the relationship of two Koreas has been continued to tighten, and it is unclear when the relationship of two Koreas will be improved again. I hope it will be improved in the near future even though the current relationship goes down. When the exchanges between South- and North Korea will promote again, so the exchanges in the area of copyrighted works will be activated, and therefore it is necessary to enact an ‘Agreement on Copyright of two Koreas’. This study suggests articles with commentary to be included in the Agreement on Copyright of two Koreas. When concluding the Agreement on Copyright between two Koreas, the Agreement would be a kind of regulation between both governments based on mutual trust. In order to guarantee the effectiveness of the Agreement two Koreas should grant legal binding force to the Agreement.

One of the most important principles in the Agreement would be ‘Principle of Reciprocity’ under which two Koreas should protect copyrighted works of the other party, and if necessary, they could ask each other for keeping the Berne Convention as they have already enforced the Berne Convention.

One of the most important organization suggested in the Agreement would be a new establishment of Joint Organization on Copyright of two Koreas. The Joint Organization is in charge of the tasks to collect and distribute the royalties as to using the copyrighted works etc. In particular, the Joint Organization could arbitrate to support the academic conference on copyright

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of two Koreas through raising joint funds on copyright of two Koreas. While doing this study I realized that the preceding research data on the Copyright Act of North Korea are so insufficient. In particular, I felt the limit to study on Copyright Act of North Korea through insufficiency of meaning of the legal terminology, regulations and their meaning in the Copyright Act. I hope the following researches to study the Copyright Act of North Korea should be more and more in the future. Hopefully comparative legal researches based on correct understandings on the differences between the Copyright Acts of two Koreas would be lively conducted, and a social environment to legally use the works of the counterpart without any restrictions would be created.

### **Keywords**

Agreement on Copyright of two Koreas, Joint Organization on Copyright of South- and North-Korea, Berne Convention, Copyright Act of North-Korea, Comparative Legal Research