

DIPLOMATIC MEMORANDA OF KAHARAGIA

**Diplomatic Memorandum on Northern Cyprus and
the Turkish Cypriot Community**

DM-2026-008



Diplomatic Memorandum on Northern Cyprus and the Turkish Cypriot Community

*Political equality, Turkish effective control and a freely agreed settlement for
Cyprus*

SECRETARIAT OF STATE, SECTION II — FOREIGN AFFAIRS

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Issued by the Secretariat of State, Section II — Foreign Affairs. A Diplomatic Memorandum states the position of the State of Kaharagia on a question of recognition or contested sovereignty, the grounds on which that position rests, and the reservations to which it is subject. Recognition, accreditation, immunity and privilege are conferred by the appropriate Sovereign instrument; this publication records the position those instruments give effect to.

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The Determination

POSITION OF THE STATE

Kaharagia does not recognise the present Turkish Republic of Northern Cyprus; Kaharagia recognises the Turkish Cypriot community's right to political equality and meaningful self-government

SELF-DETERMINATION	Recognised. Turkish Cypriots are a constituent community entitled to political equality, security and meaningful self-government.
STATE RECOGNITION	Withheld. Kaharagia does not recognise the present Turkish Republic of Northern Cyprus as a sovereign state.
DISPOSITION	Non-recognition required. The refusal rests on a duty engaged by resolutions 541 (1983) and 550 (1984), and carries no reservation.
GOVERNMENT	No de jure recognition. Community representatives may be engaged for dialogue, and such engagement decides nothing about status.
DIPLOMATIC RELATIONS	Not established.
FUTURE STATUS	A federation, confederation or two-state arrangement is legitimate only if freely agreed by both Cypriot communities.

COMMON DOCTRINAL BASIS

A people's right to self-determination is not extinguished by an inherited border. Nor is it fulfilled by foreign occupation, coerced integration, ethnic cleansing, demographic engineering, or a nominal independence maintained under another state's effective control. Recognition of a state is separate from endorsement of its government and from the establishment of diplomatic relations.

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1. Executive Position

Kaharagia does not recognise the present Turkish Republic of Northern Cyprus as a sovereign state, and Kaharagia recognises Turkish Cypriots as a constituent community of Cyprus entitled to political equality, security and meaningful self-government. Those are separate answers to separate questions, and neither is a concession made to soften the other.

The Security Council considered the declaration of 15 November 1983 legally invalid, called for its withdrawal, and called upon all States not to recognise any Cypriot State other than the Republic of Cyprus. It did so in resolution 541 (1983) of 18 November 1983, adopted at its 2500th meeting by thirteen votes to one with one abstention. In resolution 550 (1984) of 11 May 1984 it condemned the secessionist acts that followed, including the purported exchange of ambassadors between Turkey and the Turkish Cypriot leadership, declared them illegal and invalid, and reiterated the call for non-recognition.

The European Court of Human Rights held in *Loizidou v. Turkey*, in its merits judgment of 18 December 1996, that the Turkish army exercises effective overall control over that part of the island and that such control entails Turkish responsibility for the policies and actions of the authorities there. The Grand Chamber carried that reasoning across the whole inter-State case in *Cyprus v. Turkey* on 10 May 2001, holding by sixteen votes to one that the facts complained of fall within the jurisdiction of Turkey for the purposes of Article 1 of the Convention. Displacement and unresolved property rights remain at the centre of the conflict.

Among the five dispositions in DM-2026-001, this publication closes on non-recognition required. Kaharagia withholds recognition because a duty binds Kaharagian conduct, not because the Turkish Cypriot claim to self-government has been weighed and found wanting. No reservation is attached to the refusal, and the doctrine explains why: a duty of non-recognition cannot be cured by qualifying it.

Non-recognition is not a denial of the Turkish Cypriot people, and it is not a claim that Turkish Cypriots are settlers or agents of Ankara. They are a historic constituent community of Cyprus with a legitimate demand for political equality, security, local government, language and cultural protection, and freedom from domination by the Greek Cypriot majority. The General Assembly recorded the substance of that position in 1974, considering in resolution 3212 (XXIX) that the constitutional system of the Republic of Cyprus concerns the Greek Cypriot and Turkish Cypriot communities.

1.1 Political Equality Recognised, Statehood Refused

In Cyprus the four decisions pull in different directions, and stating them together would conceal what Kaharagia holds:

- **The right of self-determination.** Recognised. Turkish Cypriots are a constituent community entitled to political equality, security and meaningful self-government.
- **Statehood.** Withheld. Kaharagia does not recognise the present Turkish Republic of Northern Cyprus as a sovereign state.

- **Government.** No de jure recognition. Community representatives may be engaged for dialogue, and such engagement decides nothing about status.
- **Diplomatic relations.** Not established.

Refusing the second decides nothing about the first, and a reader who treats the refusal of statehood as a judgement upon the community has collapsed two questions the doctrine exists to hold apart.

2. Why the 1983 Declaration Cannot Be Recognised

DM-2026-001 places every case in one of three families before any further test is applied, and provides that classification is a question of history which neither party may choose.

The Turkish Cypriot argument places this case in the second family, and it deserves to be stated at full strength. On that argument the Republic of Cyprus was constituted in 1960 not as a unitary state containing a minority, but as a partnership between two communities, each holding constitutionally guaranteed institutions and a share of public authority. When the partnership collapsed, the communities resumed the separate constituent capacity they had brought to it. Turkey put the same case to the Strasbourg Court in *Cyprus v. Turkey*, submitting that the entity is a democratic and constitutional State, politically independent of all other sovereign States including Turkey, set up by the Turkish Cypriot people in the exercise of its right to self-determination.

The 1960 instruments do not carry that reading. Under Article I of the Treaty of Guarantee of 16 August 1960, the Republic of Cyprus undertook to maintain its independence, territorial integrity and security and to respect its Constitution, and declared prohibited any activity likely to promote either union with any other State or partition of the Island. Under Article II, Greece, Turkey and the United Kingdom guaranteed the independence, territorial integrity and security of the Republic and the state of affairs established by the Basic Articles of its Constitution, and undertook to prohibit any activity aimed at union or partition. The entrenched communal institutions were guarantees held inside one state and placed under international protection. They were not two sovereignties in temporary association.

The Secretariat therefore does not accept the second-family classification, and the ground is narrow. That family concerns a territory separately sovereign, or separately constituted, before entering a union. Turkish Cypriots were separately constituted as a community. They were not separately constituted as a territory, and there is no earlier northern Cypriot sovereignty for the 1983 declaration to restore. DM-2026-007 recognises Somaliland partly because it claims the external limits the territory actually held at independence. Nothing of that kind is available here. The line between north and south was produced in 1974, and a line produced by the intervention cannot supply the pre-union status the argument needs.

The case therefore falls in the third family, which carries the heaviest burden. A community seeking to leave a state whose sovereignty is not otherwise in question must show that internal self-determination has been denied and that no rights-respecting

constitutional remedy remains. The first limb is substantially supported on this record. The second is not made out. DM-2026-003 and DM-2026-004 leave that second limb undecided, and this publication decides it. Those two close on deferral, where the case turns on whether a choice can be shown to be the population's own and the limb would decide nothing. Here it can be decided, because a constitutional remedy was written, put to the community and accepted by it.

2.1 The Exhausted-Remedy Test and the 2004 Referendums

The remedy limb asks whether a durable, rights-respecting and freely chosen order remains possible inside the existing state. It is not answered by pointing to a period in which that order failed. DM-2026-005 recognises Kosovo because the parent state dismantled the autonomy, shut the community out of institutions, and because status negotiations were attempted and failed before the declaration was made. The elements were met, and met in sequence.

The Cypriot sequence runs the other way. The declaration came in 1983. The United Nations plan for a comprehensive settlement was drafted and put to both communities afterwards, at separate simultaneous referendums held on 24 April 2004. The Secretary-General reported in S/2004/437 of 28 May 2004 that the plan was approved by 64.9 per cent of Turkish Cypriot voters and rejected by 35.1 per cent, and that it was rejected by 75.8 per cent of Greek Cypriot voters and approved by 24.2 per cent.

That is direct evidence on the point the third family turns upon. A constitutional remedy was not merely conceivable. It was written, put to a vote, and accepted by the community now said to have none available to it. The Secretary-General drew the same conclusion in plainer terms in the same report, recording that in opting for a settlement the Turkish Cypriots had broken with the decades-old policies of seeking recognition of the state they purported to create in 1983.

The plan became null and void when one side rejected it, as the Secretary-General also reported. Its content nonetheless belongs to the record, because it shows what the community accepted. The Strasbourg Court summarised that content in *Demopoulos and Others v. Turkey*: a United Cyprus Republic of two constituent states, the predominantly Greek Cypriot one eventually comprising about 71 per cent of the land area and the predominantly Turkish Cypriot one about 29 per cent, with a detailed property regime combining reinstatement, compensation, exchange and protection for current users.

The consequence for recognition follows. So does a second consequence, which Kaha-*ragia* states with equal clarity. The remedy failed on the other side of the line, and Turkish Cypriots are asked to live with the legal effects of a refusal they did not make. Non-recognition is the correct answer to the status question and an unjust position in which to leave a community. Both of those are true at once, and a publication that records only the first is not honest about what it decides.

The framework has not lapsed. In resolution 2815 (2026) of 30 January 2026, adopted at its 10100th meeting, the Security Council extended the mandate of the United Nations Peacekeeping Force in Cyprus to 31 January 2027 and recalled the importance of an enduring, comprehensive and just settlement based on a bicomunal, bizonal fed-

eration with political equality. The Council has held that position since resolution 716 (1991) of 11 October 1991, whose fourth paragraph states it as one State of Cyprus comprising two politically equal communities. The force itself has remained on the island since 1964 to supervise the ceasefire lines, maintain the buffer zone and support the good offices of the Secretary-General in the absence of a settlement.

The route is live in fact and not only in form. The Secretary-General reported in S/2026/9 of 5 January 2026 that at the meeting of the two leaders on 11 December 2025 discussions on core political issues took place for the first time in more than five years, and that both leaders agreed their goal was a solution of the Cyprus issue with political equality as described in the Security Council resolutions, a commitment not seen from the leaders since 2020. He met both leaders in Nicosia on 29 July 2026 and stated his intention to convene a further meeting in the broader format after adequate preparation on confidence-building, methodology and substance. Where a settlement route is live and the community is a party to it, withholding recognition holds a question open. It does not surrender the question to whoever holds the ground.

2.2 Turkish Effective Control: Naming the Degree

DM-2026-001 places external influence on a scale of three: dependency, effective control, absorption. The degree found in this case is effective control.

In *Loizidou v. Turkey* the Court recorded that Turkish armed forces of more than 30,000 personnel were then stationed throughout the occupied area of northern Cyprus, held that the Turkish army exercises effective overall control over that part of the island, and held by eleven votes to six both that the denial of access to the applicant's property was imputable to Turkey and that there had been a breach of Article 1 of Protocol No. 1. The Grand Chamber applied the same test to the inter-State case in 2001. The United Nations applies the same attribution today: the peacekeeping force reported in January 2026 that the United Nations continues to hold the Government of Turkey responsible for the situation in Varosha.

The character of those findings must be stated exactly, because they are quoted for more than they hold. The Court decided which state answers under the Convention for acts occurring in northern Cyprus. Attribution of that kind identifies responsibility for violations. It confers no Turkish sovereign title, because effective control is not sovereign title and conquest cannot manufacture one. Neither is it a ruling that Turkish Cypriot institutions have no will of their own. The Court said in terms that it was not necessary to determine whether Turkey actually exercises detailed control over the policies and actions of those authorities, and it did not determine it.

Effective control does not by itself defeat a claim under the doctrine. It shifts the burden. The entity must then show that the will it expresses is its own, and the doctrine supplies four indicators by which the showing is tested.

2.3 Autonomous Politics and the Unanswered Security Question

The indicators do not all run the same way, and the record on the last of them has changed since this series was opened.

- **Whether the claim predates the patron.** It does. Turkish Cypriot demands for political equality and guaranteed participation were written into the settlement of 1960, whose guarantor Powers undertook by Article II of the Treaty of Guarantee to guarantee the state of affairs established by the Basic Articles of the Constitution, and those demands were pressed through the breakdown of the decade that followed, before any Turkish intervention. This indicator runs in the community's favour.
- **Whether the institutions have refused the patron something the patron wanted.** No instance is before the Secretariat in which the entity refused Turkey on a question Turkey is shown by material the Secretariat has examined to have pressed. The change of leadership in 2025 is evidence of autonomy inside the community's own politics; it is not by itself evidence of a refusal of the patron, because no Turkish position on the matter has been established from a source read for this publication. The gap tells against the entity, because the burden has shifted to it. It remains a gap in the record rather than a finding that no such refusal has occurred, and Kaharagia does not convert the one into the other.
- **Whether the trajectory runs toward independence or toward incorporation.** No instrument merging northern Cyprus into Turkey is before the Secretariat, and the entity asserts separate statehood rather than union with its patron. The leader elected in 2025 campaigned on returning to talks on the basis of a federal solution for the island, which is a course toward shared institutions with the other community rather than toward the patron. The case sits at effective control and not at absorption.
- **Whether the argument against the patron can be made and survived.** This indicator is now satisfied in a strong form. At the leadership election in the Turkish Cypriot community held on 19 October 2025, Tufan Erhürman won more than 62 per cent of the vote in the first round and took office as the new Turkish Cypriot leader, having campaigned on overcoming political and social divisions within the community and on returning to talks on the basis of a federal solution for the island. The Secretary-General reported that result in January 2026. A community that changes its leadership by vote, and changes its declared settlement policy with it, is conducting a politics of its own. In 2001 the Grand Chamber found that no violation of the rights of Turkish Cypriot opponents of the regime under Articles 3, 5, 8, 10 and 11 had been established by reason of an alleged administrative practice, while declining jurisdiction over the parts of that complaint which the Commission had held outside the scope of the admissible case. The same judgment found a violation of Article 6 on account of the legislative practice of authorising the trial of civilians by military courts, which is a limit on the political space and not an ornament to it.

The burden is therefore not discharged, and the reason is narrow. The community's internal politics are demonstrably contestable and its leadership demonstrably replaceable. What has not been shown is the entity's capacity to decide the matters on which effective control was found, which are the military presence and the security arrangements that sustain the line. Those are the matters the Court declined to attribute to local will, and no evidence before the Secretariat establishes that they have passed to it. On the merits alone that would be sufficient ground to withhold recognition, and

it is not the ground on which this publication principally rests. DM-2026-002 records the same gap on the same matters and still recognises a state. What separates the two is the indicator asking whether the institutions have refused their patron: there the refusals are on the record, and here that indicator is a gap the entity was free to fill.

2.4 The Duty of Non-Recognition and the Absence of Reservations

DM-2026-001 separates a discretionary refusal from a duty. Where a situation is the product of a serious breach of a peremptory norm, and in particular where the competent international organs have called upon states to withhold recognition, Kaharagia shall withhold it and shall not attempt to cure the position by attaching reservations.

The Security Council considered the 1983 declaration legally invalid and called upon all States not to recognise any Cypriot State other than the Republic of Cyprus in resolution 541 (1983), and reiterated that call in resolution 550 (1984). Both resolutions stand, and the Council recalled the second of them again in resolution 2815 (2026) when addressing the status of Varosha. The duty is engaged on the doctrine's own terms.

The disposition is accordingly non-recognition required, which operates independently of the merits of any local claim. No reservation accompanies the refusal. The contrast with DM-2026-002, where recognition is extended subject to express reservations, is deliberate: a reservation qualifies a discretionary act, and there is no discretion here to qualify. The answer would be the same if every indicator in the preceding section ran the other way, which is what separates a duty from a judgement.

The duty reaches Kaharagian conduct as well as the formal act of recognition. It forbids any agreement whose performance would consolidate the position the Security Council declined to accept. It does not curtail the humanitarian, cultural and peacebuilding engagement this publication requires. It does not reach the limb of the doctrine concerned with treating a territory as part of an acquiring state, since no annexation of northern Cyprus is asserted by anyone. Whether Organs of State give effect to particular documents affecting individuals is a separate question, and this publication does not decide it.

The duty attaches to the entity as declared in 1983 and to the circumstances that produced it. It says nothing about a status the two Cypriot communities may freely agree hereafter, and it is not to be read as an answer given in advance to a settlement not yet made.

3. Political Equality and the Failed Constitutional Order

The Republic of Cyprus was established in 1960 through a constitutional and international structure designed to protect Greek Cypriot and Turkish Cypriot participation. The Treaty of Guarantee placed the Basic Articles of the Constitution under the guarantee of Greece, Turkey and the United Kingdom, and prohibited, in the same breath, union of the island with any other State and partition of it. That structure broke down amid intercommunal violence, segregation and competing nationalist projects. Turkish Cypriot exclusion and insecurity before 1974 belong to the record, and a history that

opens with the Turkish intervention has discarded the evidence that explains what followed.

The coup of 1974 sought the union the Treaty prohibited. The Turkish military action that followed was taken under Article IV of the same Treaty, which reserves to each guarantor, where common or concerted action does not prove possible, the right to take action with the sole aim of re-establishing the state of affairs created by the Treaty. The state of affairs created by the Treaty was one guaranteed republic in which partition was prohibited by name. A permanent division of the island is not the restoration of that state of affairs. A right of action limited by its own words to restoration cannot be the source of a title to the territory it divides, and the protection of Turkish Cypriots does not by itself legalise indefinite occupation or every territorial consequence of the intervention. The crimes and fears of one period do not cancel the rights created in another.

The organs of the United Nations said as much at the time, and in terms Kaharagia adopts. In resolution 3212 (XXIX) of 1 November 1974, adopted unanimously, the General Assembly urged the speedy withdrawal of all foreign armed forces and foreign military presence and personnel from the Republic of Cyprus and the cessation of all foreign interference in its affairs; considered that the constitutional system of the Republic concerns the Greek Cypriot and Turkish Cypriot communities; commended the negotiations between the representatives of the two communities taking place on an equal footing, with a view to reaching freely a mutually acceptable political settlement based on their fundamental and legitimate rights; and considered that all the refugees should return to their homes in safety. The Security Council endorsed that resolution in resolution 365 (1974) of 13 December 1974 and urged the parties to implement it.

What follows for a settlement is a structural guarantee, not a numerical share. Simple majoritarian rule cannot answer security fears produced by the collapse of a guaranteed partnership. The long-standing United Nations basis is a bizonal and bi-communal federation with political equality, stated most precisely in resolution 716 (1991) as one State of Cyprus comprising two politically equal communities and restated by the Council in January 2026. Kaharagia supports a settlement in which Turkish Cypriots exercise meaningful internal self-determination. If both communities freely agree to a confederation or a two-state settlement, Kaharagia will not reject it merely because federation was previously preferred. The settlement must be chosen by Cypriots and not imposed by Ankara, Athens, London or another power.

CYPRIOT PRINCIPLE

Turkish Cypriots cannot be reduced to instruments of Ankara, but neither can Turkish effective control and the consequences of 1974 be ignored.

3.1 The Perpetual Veto and the Limits of Territorial Integrity

DM-2026-001 refuses to treat territorial integrity as an unlimited veto held by a parent state. The refusal has an edge in this case which Kaharagia does not blunt. If the only route out of non-recognition ran through the consent of the community that rejected the plan in 2004, Turkish Cypriots would face a condition no conduct of their own could satisfy, and the doctrine forbids the drafting of such a condition. Conditions at-

tached to recognition or to future engagement must be capable of satisfaction by the entity addressed, and a condition no government could ever meet is a refusal wearing the language of encouragement.

Kaharagia therefore states which of its conditions are addressed to whom. The withdrawal or consensual regulation of foreign forces is addressed to Turkey, and it is the condition the General Assembly addressed to the same quarter in 1974. A settlement is addressed to both communities and to the process between them. What the Turkish Cypriot community can reach by its own conduct is engagement, and a state that offers engagement in place of recognition owes it in practice.

4. Declining the Declaration, Not the People

The strongest objection to this determination is made on behalf of the people it affects, not on behalf of Ankara. Turkish Cypriot voters approved the United Nations plan in 2004 and remain outside ordinary international life. Non-recognition, on this view, imposes a penalty on a community for the acts of a state it does not control and for a refusal it did not make, and then calls the penalty a principle.

Part of the answer lies in what the duty operates upon. It restrains Kaharagia. It authorises nothing against any Turkish Cypriot, and DM-2026-001 forbids the conversion of a refusal of status into a refusal of contact or the use of a population's daily life as pressure upon an authority. A publication that withholds recognition and then tolerates isolation has applied half the doctrine.

The United Nations reached that position in 2004 and put it more sharply than this publication could. The Secretary-General reported that recognition or assisting secession would be contrary to the resolutions of the Security Council and would not respect the will of the Turkish Cypriots, who had voted for reunification, and that their vote had undone whatever rationale might have existed for pressuring and isolating them. He expressed the hope that the members of the Security Council would give a strong lead to all States to cooperate, bilaterally and in international bodies, to eliminate unnecessary restrictions and barriers having the effect of isolating the Turkish Cypriots and impeding their development, and deemed such a course consistent with resolutions 541 (1983) and 550 (1984). Non-recognition and isolation are separable, and the United Nations has asked states to maintain the first and bring the second to an end.

The rest of the answer lies in what recognition would deliver. Recognising the present entity would fix the community's political future to the territorial and security conditions produced in 1974 and to the presence that sustains them. It would remove from the table the settlement Turkish Cypriot voters themselves accepted, and it would do so on the authority of states with no standing to accept or abandon it on their behalf. The 2004 vote is evidence of what the community wanted, and recognition of the present entity is not that.

Non-recognition carries costs, and they fall on people who did not choose them. The Kaharagian response is engagement without recognition, and that response is worth precisely what is done with it.

The objection from the opposite direction is that recognising Turkish Cypriots as a

constituent community entitled to political equality rewards partition and prejudices the settlement. It does neither. Political equality is the settlement basis the Security Council itself has stated since 1991. This publication recognises no state, no boundary and no territory in the north. Affirming that a community must be an equal party to the arrangement governing it takes nothing from the Republic of Cyprus, whose continuing existence the 1983 declaration did not extinguish and whose government the Strasbourg Court continues to treat as the sole legitimate government of Cyprus.

4.1 Why Kosovo, Abkhazia and Palestine Do Not Decide Cyprus

The Assessment Framework decides each case on its facts, and the facts that separate Cyprus from the rest of the series are these.

DM-2026-005 recognises Kosovo. The International Court of Justice, in an advisory opinion delivered on 22 July 2010 at the request of the General Assembly, concluded that the declaration of independence adopted on 17 February 2008 did not violate international law. An advisory opinion that a declaration did not violate international law is neither a judgment nor a determination of statehood, and Kaharagia does not treat it as either. What separates the cases is that no competent organ called upon states to withhold recognition of Kosovo, while the Security Council called upon all States not to recognise any Cypriot State other than the Republic of Cyprus. The sequences differ as well. The internal remedy in Kosovo was destroyed by the parent state before the declaration. The Cypriot remedy was drafted and put to both communities after it, and the Turkish Cypriots voted for it.

DM-2026-002 recognises Abkhazia subject to express reservations. Reservations are available there because the decision there is discretionary. Deferral in that case would also have left the status question to Tbilisi and Moscow with the Abkhaz at neither side of the table, whereas Turkish Cypriots are a party to a settlement process that continues and that returned to core political issues in December 2025.

DM-2026-003 defers South Ossetia because integration with the patron is accelerating and the favoured outcome is administered by the party in possession. That is absorption, or a course toward it. This case sits a step short. The entity claims statehood of its own, and no merger with Turkey is proposed. Two refusals may rest on different grounds without either weakening the other.

DM-2026-004 withholds recognition from Transnistria because official votes carry little evidentiary weight where economic power is concentrated, media restricted and dissent unsafe. Nothing in this publication turns on a finding of that kind about Turkish Cypriot political life, and none is made. The election of October 2025, in which the leadership changed hands at the first round of a vote, points the other way. DM-2026-007 recognises Somaliland on a restoration claim to a boundary the territory held at independence, and no call by a competent organ against its recognition is before the Secretariat.

DM-2026-010 affirms Palestinian sovereignty notwithstanding occupation, and a reader may ask how occupation can be compatible with recognition there and fatal to it here. The configurations are opposite. Sovereignty there is not created by the occupation and survives it. The entity whose recognition is sought here was declared in

the conditions the intervention produced, and the Security Council said so three days later. This publication declines the declaration, not the people.

5. What Follows for the People in Cyprus and for the Settlement

Greek Cypriots displaced from the north and Turkish Cypriots displaced from the south retain claims to property, remedy and family connection. The movement of Turkish Cypriots northward in 1975 was carried out under an agreement reached at Vienna on 2 August 1975 and reported to the Security Council in S/11789. It provided that Turkish Cypriots then in the south would be allowed, if they wished, to proceed north with their belongings under an organised programme and with the assistance of the peacekeeping force; that Greek Cypriots then in the north were free to stay and would be given every help to lead a normal life, including education, religious practice, medical care by their own doctors and freedom of movement; and that the force would have free and normal access to Greek Cypriot villages in the north. The guarantees given to the Greek Cypriots who stayed did not hold. In *Cyprus v. Turkey* the Grand Chamber found violations of Article 9 in respect of their religious life, of Article 10 through excessive censorship of school-books destined for their primary school, of Article 2 of Protocol No. 1 through the absence of appropriate secondary-school facilities, and of Article 3 through discrimination amounting to degrading treatment of those living in the Karpas area.

The displaced were refused return outright. In the same judgment the Court held that there had been continuing violations of Article 8 by reason of the refusal to allow the return of any Greek Cypriot displaced persons to their homes in the north, and of Article 1 of Protocol No. 1 by reason of the denial to Greek Cypriot owners of access to and control, use and enjoyment of their property and of any compensation, with a violation of Article 13 for the absence of remedies. It held that there had been continuing violations of Articles 2 and 5 arising from the failure to investigate effectively the fate of Greek Cypriot missing persons, and of Article 3 in respect of their relatives.

The property question has since acquired a mechanism, and its legal character must be stated exactly. In *Demopoulos and Others v. Turkey* the Grand Chamber decided, on admissibility and not on the merits, that Law no. 67/2005 provides an accessible and effective framework of redress for complaints about interference with property owned by Greek Cypriots, and declared the applications inadmissible by a majority for failure to exhaust it. The Court added that its decision does not require any applicant to use that mechanism, that applicants may instead await a political solution, and that its own supervisory jurisdiction remains. It also held that allowing a responsible state to correct wrongs imputable to it does not amount to an indirect legitimisation of a regime unlawful under international law, and that this conclusion casts no doubt on the view adopted by the international community about the establishment of the entity or on the standing of the Government of the Republic of Cyprus as the sole legitimate government of Cyprus. That is the architecture of the whole question in a sentence: a remedy may be used without conferring a status.

Kaharagia adopts that distinction and applies it to itself. A settlement may combine return, restitution, compensation, tenancy conversion, land exchange and territorial

adjustment. Neither community is to be told that decades of separation have erased individual claims. The Court observed in 2010 that some thirty-five years had passed since the applicants lost possession, that generations had passed with them, and that the local population had not remained static. Time complicates remedies. It does not extinguish them.

Work on the missing belongs to both communities and has continued through every political failure. The Committee on Missing Persons in Cyprus is mandated to recover, identify and return the remains of persons who went missing in 1963 and 1964, in 1974, and in the intervening period. The Secretary-General reported in January 2026 that of the 2,002 persons on the Committee's official list, 1,062 have been formally identified and their remains returned to their families, and that the remains of 1,713 persons have been exhumed or received on both sides of the island since operations began in 2006. The Security Council has called for that work to be kept free from political interference. Kaharagia treats it as owed to families and never as a bargaining position.

Varosha is the clearest instance of a change on the ground pursued outside the process. In resolution 550 (1984) the Council considered attempts to settle any part of Varosha by people other than its inhabitants inadmissible and called for the transfer of that area to the administration of the United Nations. In resolution 2815 (2026) it called for the immediate reversal of all steps taken on Varosha since October 2020 and cautioned against further action. The peacekeeping force reported in January 2026 that no steps had been taken to comply, that no significant change was observed in the 3.5 per cent of the area whose military status was announced as lifted in July 2021, though renovation of facilities there continued, and that a trench and berm system built by Turkish forces and running nearly four kilometres along the northern ceasefire line remains a military violation.

DM-2026-001 asks who was permitted to choose before it asks what was chosen, and its answer governs any future Cypriot status process:

- Displaced persons of either community, and their descendants with a demonstrable connection to the territory, are not excluded from a status process because return has not been achieved.
- Present residents are not disqualified from civil and political life on grounds of origin, ethnicity, religion or date of arrival.
- Settlement organised or encouraged by a controlling power does not decide the status question it was arranged to foreclose.

People of mainland Turkish origin and their descendants now live in northern Cyprus. Their number has been disputed rather than established, and the Strasbourg Court recorded both that the figure was contested and that the plan of 2004 would have capped at 45,000 the number who could be granted citizenship of the reunified state. They must not be collectively expelled, deprived of due process, or treated as racially or nationally tainted. Their presence cannot confer Turkish sovereignty or predetermine the constitutional balance, and the third rule above is what keeps those two propositions consistent with one another. Lawful status is to be resolved through agreed citizenship and residency rules, while property obtained through dispossession remains subject to remedy.

5.1 What This Determination Does Not Authorise

Non-recognition is addressed to an entity. It grants no latitude against anyone living in Cyprus or displaced within it. Kaharagia records what the decision does not authorise:

- Any measure against Turkish Cypriots as individuals, or the treatment of a Turkish Cypriot as an agent of Turkey by reason of residence, office, employment or documentation.
- The collective expulsion, denationalisation or dispossession of people of mainland Turkish origin or their descendants, or the treatment of their status as a matter of official discretion.
- The treatment of displaced persons of either community, or their descendants, as having forfeited return, property, compensation or participation through the passage of time.
- The use of force by any party to alter the position on the ground, or the imposition of a settlement by Ankara, Athens, London or another power.
- The withholding of humanitarian access, family contact, work on missing persons or the technical business of ordinary life as pressure upon any authority.
- Reprisals against Turkish Cypriots or Greek Cypriots, in Cyprus or elsewhere, prompted by this decision.

5.2 Interim Engagement Without Recognition

Kaharagia may communicate directly with Turkish Cypriot elected representatives, universities, municipalities and civil society; facilitate cultural and humanitarian exchange; and support measures easing isolation. Such engagement is expressly without prejudice to recognition and shall strengthen autonomous Turkish Cypriot institutions without strengthening Turkish control.

The technique exists and has been operated at scale by others. On the accession of Cyprus to the European Union, Article 1 of Protocol No 10 to the Act of Accession of 2003 suspended the application of the *acquis* in those areas in which the Government of the Republic of Cyprus does not exercise effective control. The Council of the European Union then adopted Regulation (EC) No 866/2004 of 29 April 2004, establishing under that Protocol a regime for the crossing of persons and goods across the line. A body of states has regulated daily traffic across that line for more than twenty years without recognising any authority on the far side of it. Kaharagia does not need to invent the method.

Two limits apply, and neither is available to be traded away. Contact shall not extend to acts whose performance would consolidate the position the Security Council declined to accept. No party may represent such contact as recognition by conduct. Where that risk arises, the remedy is a plain statement of the Kaharagian position, and the contact continues.

DM-2026-001 provides that contact of this kind does not require a decision on status and is not held hostage to one. Kaharagia treats the engagement as owed, and not as a courtesy to be withdrawn when relations with another state make it inconvenient. In Cyprus the measures are already on the record. By paragraph 10 of resolution 2815

(2026) the Security Council called upon the sides to reduce existing barriers to inter-communal contact, echoed the Secretary-General's call for renewed efforts to remove remaining obstacles to trade across the Green Line, and encouraged the leaders to deliver on the trust-building initiatives agreed in 2025, especially the opening of new crossing points. Kaharagia supports those measures. The Council recorded in the same paragraph that confidence-building measures are not a substitute for a solution, and Kaharagian support for them is not a step toward status.

5.3 Possible Final-Status Arrangements

Kaharagia continues to support a freely agreed bizonal and bicomunal federation as the established international framework, with political equality, shared or rotating institutions, territorial adjustment, security reform and guarantees for both communities. It does not declare that framework eternally exclusive if both peoples freely agree upon another rights-respecting arrangement.

A confederation, free association or eventual two-state settlement is legitimate only if reached without Turkish coercion, accepted through valid processes by both communities, and accompanied by comprehensive property, security and citizenship agreements. Unilateral recognition of the present entity would bypass every one of those conditions.

Free agreement carries a procedural content, and Kaharagia settles it before any process begins. Eligibility, registration and the framing of the question belong to a body no interested party controls, and a vote taken on an electorate defined by the winner of the last war is evidence of the war, not of consent. The General Assembly stated the same requirement in 1974, commending negotiations between the representatives of the two communities conducted on an equal footing and directed at a settlement reached freely. That rule protects both communities in Cyprus, and Kaharagia applies it in both directions.

6. What Would Change the Answer

DM-2026-001 requires each memorandum to name the evidence that would produce a different answer. For this case:

- A settlement freely agreed by both Cypriot communities, in whatever constitutional form, reached through a process meeting the conditions set out above.
- A change in the position of the competent international organs on non-recognition, which would remove the duty on which this disposition principally rests.
- A material change in the degree of Turkish control, measured against the four indicators, not against declarations.
- Any step toward the incorporation of northern Cyprus into Turkey, which would move the case from effective control to absorption and engage a stronger prohibition.
- A freely expressed decision of both communities in favour of another status, including the restoration of a single constitutional order.

Nothing on that list can be delivered by the Turkish Cypriot community acting alone. Kaharagia publishes it as a record of what it is watching, not as a set of instructions to a community that cannot carry them out. The next decision of the Security Council on the mandate falls due by 31 January 2027, and resolution 2815 (2026) requires the Secretary-General to report on his good offices by 6 July 2026 and again by 4 January 2027. Those dates fix the ordinary occasions for review.

7. Operative Declaration

The State of Kaharagia does not recognise the present Turkish Republic of Northern Cyprus as a sovereign state. It recognises Turkish Cypriots as a constituent community entitled to political equality, security, cultural protection and meaningful self-government. Kaharagia supports a bizonal and bicomunal federal settlement, or another status freely agreed by both Cypriot communities, with provisions for foreign-force withdrawal or consent, property remedies, displaced persons, present residents, and human rights. Dialogue with Turkish Cypriot authorities does not constitute recognition.

8. Publication and Legal Effect

This memorandum is a public statement of the foreign policy of the State of Kaharagia, published by authority of the Sovereign. Under Kaharagian constitutional practice, the recognition or non-recognition of a state, the recognition of a government, the establishment of a diplomatic mission, the imposition of sanctions and the entry into formal diplomatic relations remain decisions reserved to the Sovereign and implemented through the appropriate instrument. A Diplomatic Memorandum states the grounds, scope, reservations and consequences of a policy; it does not by itself confer accreditation, immunity or privilege.

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Selected Authorities and Official Materials

Authorities were verified as at the date of publication. Titles are followed by the issuing body and a source link. Legal character is stated and not assumed: a resolution of the Security Council is distinguished from a resolution of the General Assembly, which is not binding; a Grand Chamber judgment on the merits is distinguished from a decision as to admissibility; and an advisory opinion of the International Court of Justice is not a judgment. Reports of the Secretary-General and material of the peacekeeping force are cited for what they record, and the treaty and European Union instruments for what they enact.

1. *Security Council resolution 541 (1983)*. United Nations Security Council, 18 November 1983; adopted at the 2500th meeting by 13 votes to 1 with 1 abstention. Deplores the declaration of 15 November 1983, considers it legally invalid and calls for its withdrawal,

- and calls upon all States not to recognise any Cypriot State other than the Republic of Cyprus.
<https://digitallibrary.un.org/record/58970>
2. *Security Council resolution 550 (1984)*. United Nations Security Council, 11 May 1984; adopted at the 2539th meeting by 13 votes to 1 with 1 abstention. Condemns all secessionist actions including the purported exchange of ambassadors between Turkey and the Turkish Cypriot leadership, declares them illegal and invalid, reiterates the call upon all States not to recognise the purported State, and considers attempts to settle any part of Varosha by people other than its inhabitants inadmissible.
<https://digitallibrary.un.org/record/67600>
 3. *Loizidou v. Turkey (merits)*. European Court of Human Rights, Grand Chamber, application no. 15318/89, judgment of 18 December 1996; effective overall control, imputability to Turkey and a breach of Article 1 of Protocol No. 1.
<https://hudoc.echr.coe.int/eng?i=001-58007>
 4. *Cyprus v. Turkey*. European Court of Human Rights, Grand Chamber, application no. 25781/94, judgment of 10 May 2001; jurisdiction, missing persons, the property and homes of displaced persons, the living conditions of the enclaved, and the rights of Turkish Cypriots in the north.
<https://hudoc.echr.coe.int/eng?i=001-59454>
 5. *Demopoulos and Others v. Turkey*. European Court of Human Rights, Grand Chamber, decision as to admissibility of 1 March 2010; the property mechanism established by Law no. 67/2005, the Annan Plan's property regime, and the limits of the non-recognition principle.
<https://hudoc.echr.coe.int/eng?i=001-97649>
 6. *Security Council resolution 2815 (2026)*. United Nations Security Council, 30 January 2026; adopted at the 10100th meeting. Extends the mandate of the peacekeeping force to 31 January 2027, reaffirms a settlement based on a bicomunal, bizonal federation with political equality by reference to paragraph 4 of resolution 716 (1991), recalls the status of Varosha and calls for the immediate reversal of all steps taken there since October 2020, addresses crossing points and remaining obstacles to trade across the Green Line at paragraph 10, commends the work of the Committee on Missing Persons, and sets reporting dates of 6 July 2026 and 4 January 2027.
[https://documents.un.org/api/symbol/access?s=S/RES/2815\(2026&l=E&t=pdf\)](https://documents.un.org/api/symbol/access?s=S/RES/2815(2026&l=E&t=pdf))
 7. *Report of the Secretary-General on his mission of good offices in Cyprus (S/2026/9)*. United Nations, 5 January 2026; the Turkish Cypriot leadership election of 19 October 2025 and the leaders' meetings of November and December 2025.
<https://documents.un.org/api/symbol/access?s=S/2026/9&l=E&t=pdf>
 8. *Report of the Secretary-General on the United Nations operation in Cyprus (S/2026/8)*. United Nations, 5 January 2026; Varosha, the buffer zone and the work of the Committee on Missing Persons.
<https://documents.un.org/api/symbol/access?s=S/2026/8&l=E&t=pdf>
 9. *Report of the Secretary-General on his mission of good offices in Cyprus (S/2004/437)*. United Nations, 28 May 2004; the results of the referendums of 24 April 2004 and observations on the isolation of the Turkish Cypriots.
<https://documents.un.org/api/symbol/access?s=S/2004/437&l=E&t=pdf>
 10. *Treaty of Guarantee, signed at Nicosia on 16 August 1960*. Cyprus, Greece, Turkey and the United Kingdom; United Nations Treaty Series, vol. 382, No. 5475.
<https://treaties.un.org/doc/Publication/UNTS/Volume%20382/v382.pdf>
 11. *General Assembly resolution 3212 (XXIX), Question of Cyprus*. United Nations General Assembly, 1 November 1974; adopted unanimously.
[https://documents.un.org/api/symbol/access?s=A/RES/3212\(XXIX&l=E&t=pdf\)](https://documents.un.org/api/symbol/access?s=A/RES/3212(XXIX&l=E&t=pdf))
 12. *Security Council resolution 365 (1974)*. United Nations Security Council, 13 December 1974; endorses General Assembly resolution 3212 (XXIX) and urges the parties to implement it.
[https://documents.un.org/api/symbol/access?s=S/RES/365\(1974&l=E&t=pdf\)](https://documents.un.org/api/symbol/access?s=S/RES/365(1974&l=E&t=pdf))
 13. *Security Council resolution 716 (1991)*. United Nations Security Council, 11 October 1991; paragraph 4 states the Council's position as one State of Cyprus comprising two politically equal communities.
[https://documents.un.org/api/symbol/access?s=S/RES/716\(1991&l=E&t=pdf\)](https://documents.un.org/api/symbol/access?s=S/RES/716(1991&l=E&t=pdf))
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