

# Still Unrecognized State “Turkish Republic of Northern Cyprus” in the Context of the Cyprus Negotiations: Status of the TRNC’ Court Decisions

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## Abstract

The issue of the recognition of the TRNC brings specific constraints because of the influence of the Cyprus peace talks, which have been ongoing for 50 years. After the new era started in 2014, the TRNC authorities’ efforts to reach an agreement and their struggle to make the TRNC recognized have been obstructed by barriers placed by the southern Cyprus administration. Each of the sides in the peace talks approaches each other’s demands positively or negatively. One of the other important problems is whether the decisions given by the TRNC Courts would create *an effect* like the court decisions given by the courts of any recognized states or not. In order for the court decisions of the TRNC judiciary to have the necessary effects, the TRNC must become effectively an *equal* on the negotiation table and a directly recognized state. Turkey has enabled the TRNC judiciary decisions to have *an effect* in Turkey by signing protocols with the TRNC, but what is the status of related court decisions in other countries? In this framework, this study aims to analyse the court decisions in other unrecognized states via the document analysis method. According to the findings, the TRNC’s judiciary decisions can have an effect in other countries. Additionally, the TRNC is a recognized state at least in a limited (indirect) manner and has political equality, but this needs to be improved further via direct recognition.

**Keywords:** court decisions, recognition and enforcement, unrecognized state, TRNC, Cyprus negotiations

## 1. Introduction

From the past to the present, Cyprus has been a key focus of many civilizations. As a result of political and social changes that took place in different periods, the Republic of Cyprus was established in 1960 through a partnership between Turkish and Greek Cypriots. However, as a result of an increase in the ongoing conflict, the relationship between the two communities was damaged and separation was inevitable. According to the agreement made under the guarantee of Turkey, Britain and Greece, Cyprus was divided into two parts under the terms of a ceasefire. Until today, Turkish and Greek Cypriots have not been able to reach any sustainable peace agreement. However, after the Greek community become a member of the European Union representing the whole island, the Turkish Cypriot community was effectively excluded.

In recent years, despite the increase in peace talks between the two communities, no tangible results have thus far been achieved. Additionally, as the Turkish state (TRNC) receives no global recognition, this has caused a disparity in the peace talks. The purpose of this study, the peace talks between the two communities cannot be achieved without political equality between the two sides for a permanent solution. The Greek Cypriot state is recognized by Europe and other world countries (Cyprus), but the Turkish Cypriot state (Turkish Republic of Northern Cyprus) is not recognized by any country other than Turkey. This situation also undermines the basis for negotiations.

Within this scope, attempts have been made to recognize the TRNC. On the other hand, although the lack of recognition affects many different areas of the TRNC, it cannot restrict other aspects. Our study focuses on whether the court decisions in the TRNC, an unrecognized state, can be recognized or enforced (possible to have any international effect) in other countries or not.

## 2. Aim, Scope and Method

This study focuses on the status of the court decisions of unrecognized states. Within this scope, the status and effect of Court Decisions of the unrecognized state the TRNC will be discussed.

The study will firstly touch on the status of the TRNC within the framework of the recognition of states and the Cyprus negotiations. Subsequently, an explanation will be given on how court decisions create effects in other states ("Recognitions and enforcement"), with a particular focus on status of unrecognized states' court decisions in other states. Within this scope, sample decisions by courts of unrecognized states will be examined.

In line with this objective, the document analysis method, which is one of the qualitative research methods, is preferred.

It is beneficial to define that document moaning is the analysis of written materials related to the phenomenon or cases targeted to be investigated (Yıldırım & Şimşek, 2006). This technique was also called "documentary observation" by Duverger (1973). Best (1959: 118) refers to the technique as the "systematic examination of existing records or documents as a data source". Document analysis is a useful data collection tool when it is impossible to conduct direct interviews and observations, or it can be preferred to associate the data obtained with interviews and observations.

The samples were determined via random sampling. This is because it was not possible to determine the total number of court decisions and effective court decisions of unrecognized states. Within this frame, a total of three court decisions of other states and one court decision of the TRNC which have had effects in other states will be examined.

Random sampling is based on elements that are fully available, fast and easy to access (Baltacı, 2018: 259). With this method, speed and practicality are provided to the study (Yıldırım & Şimşek, 2008; Dolunay, 2018: 210). This method is especially preferred for sample determination when the universe cannot be determined exactly.

The data obtained were analysed by the content analysis technique. Content analysis is a research technique in which valid comments extracted from the text are revealed as a result of successive processes (Weber: 1989: 5; Koçak & Arun, 2006: 22).

Because of the importance and sensitivity of the subject, has benefits to state that the safety of determining the sampling, and also safety of analysis is based on the same point: The court decisions can be interpreted but cannot be changed by the authors. Within this scope, they cannot be manipulated to support any idea. Therefore, the random sampling technique will not create any safety problems for the research. And also, the same things validating to the analyses too.

The analysis of the status of the court decisions of other unrecognized states is beneficial for comparing to the those of the TRNC courts; at the same time, determining the effectiveness (on other country -without Turkey-) of the court decision of the TRNC, can resolve the problem of whether the decisions of the TRNC courts can have an impact. Finally, it will also possible to raises the notion that there is have limited recognition of TRNC if the judgments of the courts' have an effect on internationally. These factors reveal the aim, scope and importance of the study.

### 3. The Unrecognized State “TRNC” in Context of the Cyprus Negotiations

Table 1. Important historical progresses in Cyprus (1960-2017)

Factor	Year
Republic of Cyprus	1960
Excluding the Turkish Cypriots from the Republic of Cyprus	1963
Beginning of the Cyprus Negotiations	1968
Cyprus Peace Operation	1974
UN Security Council’ Resolution No. 365	1974
Continuing of The Cyprus Negotiations after The Operation	1974
<i>Autonomous Turkish Cypriot Administration</i>	1975
<i>The Turkish Cypriot Federal State</i>	1975
UN The General Assembly’ Resolution No. 367	1975
Turkish Republic of Northern Cyprus	1983
Continuing of The Cyprus Negotiations	1984
Annan Plan Referenda	2004
Membered to EU of Greek Cypriot State as Cyprus	2004
Conference on Cyprus in Crans-Montana (Last Cyprus Negotiations -Failed-)	2017

The Cyprus issue reached a crisis point between 1960-63 because of the aim to make the Republic exclusive for Greek Cypriots. Turkish Cypriots were excluded from the original communal Cyprus Republic established with the 1960 agreements.

From 1963 to 1974, Turkish Cypriots engaged in a survival fight. Turkey, used the guarantor state rights (based on the Zurich Agreement of 1959) with the *Cyprus Peace Operation* in 1974. Consequently, the Greek community of Cyprus was also endangered. But it was not been required to transform of opposite and long survival fight. Because the operation completed in a little while. Ultimately, the mutual acts of violence were ended.

After the operation, Turkish Cypriots established their own state structure called the *Autonomous Turkish Cypriot Administration*, *The Turkish Cypriot Federal State*, and finally, *The Turkish Republic of Northern Cyprus*. By naming their state-structure a federal state, Turkish Cypriots openly showed their desire to be part of a federal state which could be established after the peace talks; However, it became apparent that the unwillingness of Greek Cypriots to establish a federation meant it would be hard to reach, leading to the establishment of the *Turkish Republic of Northern Cyprus (TRNC)* in 1983.

On November 15, 1983, the TRNC was established based on the right of the Turkish Cypriot people to 'self-determination' and its political equality was emphasized. Also, the Turkish Cypriots called for peace and a solution (Cyprus, *Historical Overview*, n.d.). In this era, the next stage was to achieve the recognition of the newly founded TRNC.

Recognition (of states) can be defined as a one-sided political action that a state accepts, its status or an action of another state or administration, has internal and international consequences (Kelsen, 1952: 267-268).

Recognition can take place either de facto or de jure. But by the method of making an official statement by the recognized state. Actual recognition is, a new provision is fully designed in such a way that there is no discussion; however, it is preferred, which is recognized by states that do not want to make a correct judgment (De facto). De jure recognition, on the other hand, is full recognition, and sees the establishment of uniform relationships between any two states (Aust, 2005: 26; Crozat, 1953: 15-16; Meray, 1959: 214).

However, the *United Nations Security Council* issued Resolution 541 on 18 November 1983 immediately after the TRNC was declared on 15 November 1983, which stated that the TRNC’s establishment was illegal, previous Resolutions 365 and 367 were to be complied with, all sides must respect the sovereignty, independency and territorial integrity of the Cyprus Republic and only the Cyprus Republic must be recognized (Tamçelik, 2013, 1252).

A decade earlier, the *United Nations General Assembly* issued Resolution 3212 on 15 November 1974, declaring that all states must stop intervening on the island, foreign forces must be pulled back immediately, and steps allowing Greek Cypriot refugees fleeing from the north to south to return to their homes were to be taken. The issue of the constitutional status of the island was between Turkish and Greek Cypriots; therefore, these sides were invited to come together to find communally acceptable political solution to the issue through negotiations. Then, the declaration of the *United Nations General Assembly* was fully repeated and accepted by the *United Nations Security Council* with Resolution 365 on 13 December 1974 (Armaoğlu, 1989, 278). Additionally, Resolution 367 issued by *The General Assembly* in 12 March 1975, composed of 10 items, castigated the establishment of the *Turkish Cypriot Federal State* and advised it to withdraw its declaration and once more, all states were advised to respect the sovereignty, independency and the territorial integrity of the Cyprus Republic and to avoid any attempt to annex the island to Turkey or any other country (Tamçelik, 2013, 1249).

The Resolution was accepted by 13-member states, while Pakistan voted negative and Jordan abstained. In terms of the non-recognition of the TRNC, this background of the issue at the United Nations and unfortunately Southern Administration's state policy and its *suppressive* international effect are highly influential.

The Cyprus Negotiations continued even though it were many interrupted. Initiative of comprehensive Settlement which closest to success of the Cyprus Problem (Annan Plan) in happened in April 2004. The Annan Plan was put to separate and simultaneous referenda on 24 April 2004. It was accepted by the Turkish Cypriots with 65% of votes but rejected by the Greek Cypriot side with 76% of votes (Cyprus, n.d.).

The UN and numerous international organizations, as well as many countries, applauded the Turkish Cypriot people's affirmative vote and, in the light of the understanding that ways and means should be found to end the isolation of the Turkish Cypriots, they called for the immediate restoration of their direct economic, trade and cultural activities internationally (Cyprus, n.d.).

The UN Secretary-General issued his report on the negotiations on 28 May 2004. In it he emphasized that "in the aftermath of the vote, the situation of the Turkish Cypriots calls for the attention of the international community as a whole, including Security Council" and underlined the fact that the "Turkish Cypriot vote has undone any rationale for pressuring and isolating them." On this basis, the UNSG also noted that there is no Security Council resolution which imposes restrictions on the Turkish Cypriots and called on members of the Security Council to "give a strong lead to all States to cooperate both bilaterally and in international bodies to eliminate unnecessary restrictions and barriers that have the effect of isolating the Turkish Cypriots and impeding their development." The UNSG also underlined that "if the Greek Cypriots are ready to share power and prosperity with the Turkish Cypriots in a federal structure based on political equality, this needs to be demonstrated, not just by word, but by action." (Cyprus, n.d.). But, despite the absence of a settlement, the European Council of Copenhagen approved the EU membership of "Cyprus", based on the unilateral application of the Greek Cypriot Administration.

But although years have passed, still continuation of the unequal policy to Turkish Cypriots can still be observed. For instance, in one of his statements related to the Cyprus issue, President of Republic Cyprus N. Anastasiadis unfortunately clearly stated that the "minority (Turkish Cypriots) cannot be equal with the majority (Greek Cypriots) in an unfortunate way" (Rum liderden küstah açıklamalar, 2017, Feb. 26). President of Turkish Republic of Northern Cyprus M. Akıncı immediately hit back, emphasizing the political equality of Turkish Cypriots, and warning that the continuation of such a policy of Greek Cypriots would damage the negotiation process (Akıncı: Rumlar Adım Atacaksa Bir An Evvel Atmalıdır, 2017, Feb 23).

The Turkish Cypriot demand for political equality is historical and is one of the most important factors throughout the 50-year period of negotiations including the new era that started with Akıncı-Anastasiadis after 2014 (Dolunay and Çiftçi, 2017, 139). But unfortunately, the TRNC's continuing un-recognition and lack of equal status.

The only exception to this situation is Turkey's political recognition of the TRNC as a result of Turkey's individual state policy. The relationships between Turkey and Turkish Cypriots and the strong identification with the Turkish identity have deep roots stretching back to the Ottoman's conquest of the island in 1571 and this relationship was sustained during the era that Cyprus was rented to the United Kingdom, when the United Kingdom annexed the island and refused to pay rent to the Ottoman, when the original Cyprus Republic was established in the 1960s, until the present day. As the consequence of such deep roots, Turkey maintained its individual state policy to pull together and support the TRNC economically and politically.

In a response to Anastasiadis's previously mentioned statement, Akıncı made the following statement after the 2014 peace talks about the relationship with Turkey:

*"A mutual persuasion process is always operated in the relationship with Turkey. When it is necessary, he Turkish*

*Cypriot side takes the policy initiatives and it does not avoid this. Yet, we see in Mont Pelerin. Especially, in the first Mont Pelerin summit, when the time comes for deciding on the date of the fivefold-conference, we can all see how Anastasiadis needs to ask for a 10-day break to run to Athens. If I do this, my gallows are prepared, politically speaking. We have brought the negotiation process to this point by continuing the negotiations really honestly and patiently in Cyprus. We neither run away of the negotiations nor do we dismiss the table. Although they propagate we do, this is not the reality. However, conditions to continue the negotiations in a healthy manner must be established. We do not agree with continuing the talks under all circumstances, in stretching the talks like a fig-ropé and in having a process that will continue for another 50 years”.*

The most recent negotiations took place in Crans-Montana in 2017, which also failed to provide a solution:

*“There was much anticipation in the run up to the resumed Conference on Cyprus in Crans-Montana, Switzerland, at the end of June 2017. The view among many observers of the long-running “Cyprus problem” was that this latest phase of negotiations was the closest the parties — the Greek Cypriots and Turkish Cypriots — had ever come to reaching a settlement. These renewed hopes turned to disappointment after a week of intensive discussions, however. In the early morning of 7 July, Secretary-General António Guterres, announced to reporters that, despite considerable efforts, the Conference was closing without an agreement.”* (After the Failure of Crans-Montana Talks, What Next for Cyprus Peace Process?, n.d.).

On the other hand, the *United Nations* and the *European Union* have recognised the legal status of some of the TRNC’s institutions and organizations. For instance, the *TRNC Immovable Property Commission*, specifically established to deal with the property claims of Greek Cypriots who left their properties in Northern Cyprus after the 1974 population exchange agreement, is accepted officially according to the *domestic rule of law* by the *European Court of Human Rights*. Additionally, some states and international institutions make mention of TRNC officials as *Turkish Cypriot Community officials* and the president is called *the leader of the Turkish Cypriot Community* (See Secretary-General’s Statement on Cyprus, 25 November 2019, n.d.).

Although such instances inspire hope from the perspective of the TRNC’s political recognition, the demand to be recognized with regard to international law must be put forward openly and convincingly otherwise the continued lack of recognition will continue (Aybay, 2006, 10). It is possible for a formation to gain *state status* legally after objectively performing the conditions of being a state; however, such a formation needs to be recognized as a state by the previously recognized states from the perspective of international politics (Aybay, 2006, 4; Hingorani, 1982, 82). Otherwise, only having the status of being an un-recognized state would have consequences. In accordance with this topic, the judicial processes of *recognition and enforcement*, providing a judicial decision given in one state with having *an effect* in another state, needs further explanation.

#### **4. The Recognition and Enforcement of Decisions of a Foreign Court**

For states, their sovereignty (See Hingorani, 1982: 50; Brownlie, 2005: 205), in the countries is of great importance. According to J. Bodin, "Sovereignty is the permanent and absolute power of the state." "A dominant and supervisory organization - among other things - is the state among the sovereign ones..." (Poggi, 1990: 23).

In this context, it is accepted that states want to keep their jurisdiction, which is an important element of their country's sovereignty, permanently in their own hands and do not want permission from other states. This is because jurisdiction occurs because of states' sovereign rights and do not want to leaves them to other states (Özbakan, 1987: 1). As a result, states are considered not to influence the decisions made by courts under foreign jurisdiction as a result of their sovereign powers (Şanlı & Figanmeşe, 2014: 462).

However, the spread of new forms of interaction across the nation-state boundaries can damage relations between people and communities. Otherwise, it is not possible to develop international relations. Based on the idea of giving influence to foreign court decisions, the concepts of “recognition” and “enforcement” have emerged, and over time, institutions based on these concepts have been developed.

*National court decisions* are those given by the courts of a state under its own judicial authority, while *foreign court decisions* are those given by the courts of other states out of the judicial authority of the state (Janis, 1988; Talmon, 1998).

A foreign law can be applicable in one state in accordance with that state’s law. In a similar manner, a *foreign court decision* would have *an effect* in another state if the legal order of the state where the decision is taken is recognized by the other one.

This is why *recognition* opens the door to a *national court decision* to have an effect in the territories under the authority of another state.

In other words, *recognition* means that the effect of the final judgment of a court-decision given by one state's court is accepted by another state's court within its state's boundaries (Çelikel and Bahadır, 2012, 101; Dolunay, 2015, 24; Özbakan, 1987, 18; Ruhi, 2013, 34; Tezgel, 2012, 39).

In this respect, a court decision given in one state would have *an effect* in other states too and the decision would be treated as if it is taken by their own courts (Zeynalova, 2013, 155).

In other words, a recognized *foreign court decision* is treated in the same manner as *the national court decisions* given by the courts of the recognizing state; therefore, the recognized *foreign court decision* would be nationalized in this sense. The *foreign court decision* decided to be recognized is taken into consideration as a *res judicata* as well. "*The concept, Res Judicata, can be defined as the issue solved certainly by a dijudication*" (Campbell, 1999, 1312).

On the other hand, *the executive action* through the governmental bodies of the state represents the aim of *enforcement* (Çelikel and Erdem, 2012, 577; Nuray, 2013, 488; Zeynalova, 2013, 155) and *enforcement* serves to have *an executive effect* of a court-decision given by the court of one state in the zones under another state's control (Gökyayla, 2013, 305; Şensöz, 2012, 390-391).

*The executive effect* can be defined as 'the quality mobilizing the public force required in executing *the pecuniary execution proceedings* as a result of the *final judgment power* of a court decision' (Çelikel and Erdem, 2012, 577; Dolunay, 2015, 26).

Briefly, while *recognition* aims to make the effects of the *conclusive evidence* and the *final judgment* of the court of one state accepted by another state's court, *enforcement* intends to make a court's decision of one state executed in another one.

Only recognizing one foreign court's decision does not guarantee that it will be executed. To do so requires an *enforcement decision* to be taken (Erdoğan, 1997, 74; Ruhi, 2013, 229-230; Ruhi, 2003, 731). Unlike *the recognition*, in *the enforcement*, decision recognized is executed as well through the governmental bodies of a state (Gökyayla, 2001, 39).

##### **5. The Status of the Court Decisions by the Courts of an Unrecognized State and TRNC**

The focal question to be asked here is whether it is mandatory for the state whose court is demanded to recognize or enforce the decision of a foreign court to recognize the state whose *court* demands to have its decision be recognized or enforced?

There are two approaches here. One approach argues that in order to be able to make a *foreign court's decision* recognized or enforced in another state, the state of that foreign court is to be recognized by the state whose court is asking for recognition or enforcement.

Otherwise, recognizing or enforcing the decision of a foreign court whose state is not recognized would create a paradox between the court and its own state (Aybay, 2006, 15).

The second approach maintains that it is not necessary for the state whose court demands *recognition* or *enforcement* from another state's court to be recognized by the state whose court is demanding that the decision be *recognised* or *enforced*. The argument is that to be a recognized state with regard to international law and to have a decision of a *foreign court* to be recognized or enforced by another state's court in terms of the state's private law are two separate issues requiring differing processes.

The recognition of states can be based on political interests. On the other hand, however, what the condition must be in making a *foreign court's decision* being *recognized* or *enforced*, is to seek out if the authority, on which the demanding court is based, has an *unequivocal control* over its own boundaries or not (Aybay, 2006, 15).

In terms of making the second approach clearer, it can be helpful to give some cases opened by some unrecognized states 'courts in order to have their courts' decisions *recognized* or enforced by other states' courts.

###### **Case 1: The Carl Zeiss case (Carl Zeiss Stiftung v Rayner & Keeler Ltd [1967] 1 AC 853)**

The *Carl Zeiss* case (Carl Zeiss Stiftung v Rayner & Keeler Ltd [1967] 1 AC 853) was denied by the United Kingdom because the creator of the mark argued that the administrative act was given by East Germany (German Democratic Republic), which was not recognized by the United Kingdom.

Nevertheless, Lord Wilberforce's decision in this case was the first step in the process of giving *exceptional verdicts* for private cases.

Lord Wilberforce's decision says: 'In case there is not any breach of the public order, *recognition decision* can be taken in related with the "cursory" administrative affairs or with the daily faced routine private-rights' (Dixon, 2013, 141).

**Case 2: The *Hesperides Hotels Case (Hesperides Hotels Ltd v Aegean Turkish Holidays Ltd and Others [1979] AC 508)***

The case was related to *Hesperides Hotels* (Hesperides Hotels Ltd v Aegean Turkish Holidays Ltd and Others [1979] AC 508), which belonged to Greek Cypriots but are now located within the TRNC. The case was rejected because the hotels were located outside of the United Kingdom and the court that applied for *recognition* or *enforcement* did not have authority.

Nonetheless, Judge Lord Denning M.R. noted that 'Even though one state is not recognized by the government, court decisions, arranging the public affairs such as marriage, divorce, renting, of that state, of that formation making an effective control over its territories, can be recognized' (Crawford, 2012, 159).

**Case 3: The *Gur Corporation (Gur Corporation v Trust Bank of Africa Ltd [1987] QB 599) case***

In a similar way, in the verdict of the *Gur Corporation* (Gur Corporation v Trust Bank of Africa Ltd [1987] QB 599) case, Lord John Donaldson M.R. argued that case decisions arising from private law relationships must be kept distinct from others (Crawfords, 2012, 159).

The following part will focus on the TRNC's unrecognition and its possible effects on *recognition* and *enforcement* of court decisions.

When the first approach is taken, if the state whose court has applied for the *recognition* or *enforcement* does not politically recognize the TRNC, then it will not be possible for the TRNC's courts' decisions to be *recognized* or *enforced* by the court of that state.

When the second one is considered, the court applying for *recognition* or *enforcement* must consider whether or not the TRNC is recognized by its own state and it must give a decision on *the recognition* or *the enforcement* if necessary conditions exist (Aybay, 2006, 15; Doğan, 2015, 106; Çelikel, 2000, 576; Tiryakioğlu, 1996, 35).

The reality is that it is important that the TRNC is politically recognized by the state where there will be *the recognition* or *enforcement* of a court decision. Although the Turkish Cypriot Court is an independent judiciary organ, this factor in itself is not sufficient (Çelikel, 2000, 576).

However, it is seen that (Crawford, 2012, 159; Shaw, 2014, 346) decisions related with *private law* can be *recognized* or *enforced*; in other words, *private law exception* can take place such as in the *Emin v Yıldıg* (Emin v Yeldag [2002] 1 FLR 956) case.

In a similar manner, divorce verdicts made by the Turkish Cypriot courts are recognized by the United Kingdom. Therefore, although the TRNC is not politically recognized, the verdicts of the Turkish Cypriot courts related to private law can have an *effect* in other states.

## 6. Results and Conclusion

As a result of this study, it was explored whether a decision made on private law by a state court of justice, during the process of recognition and enforcement in order for another state to have influence in the field of sovereignty;

The state of the country in which the impact will take place and the state in which the court that made the judgment is located do not have to recognize each other.

In this context, although the TRNC is an unrecognized state according to international law, court decisions on private law will be accepted by other countries. This issue is possible with the private law derogation.

As stated above, judgements made on divorce cases by the TRNC courts have made a significant impact in the UK. Because of that impact in the UK, this is going to be the most important example for the research evaluation.

On the other hand, this evaluation does not mean that the TRNC is a directly recognized state. However, decisions given by the TRNC courts can have an *effect* in other states. In other words, its courts have a *court status* and can create effects. Thus, it is possible to be concluded that the TRNC has an indirect (limited) recognition.

At this point, it is very important to accept government' agencies as 'legal'. Accepting the TRNC' Courts as legal also means acceptance the existing of Turkish Republic of Northern Cyprus State too.

From another perspective, this indirect recognition of the TRNC means that the decisions given by the courts on both sides have equal status. This also provides scientific foundations on which the TRNC's claims for equity in terms of legal status can be based.

However, an ideal equal situation has yet to be achieved. This situation is damaging the progress of Cyprus Negotiations too. Over the years, the citizens and the state have been ignored in the international arena. So as the phrase goes, both the citizens and the state are still being treated as “ghosts”. It is widely acknowledged that the concepts of *human rights*, *equality* and *justice* are very valuable, especially in the modern world. In this framework, it is not acceptable to continue the current situation of the lack of recognition of the TRNC which has caused the people to be ignored (citizens of the TRNC).

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