

## The Applicability of Just Satisfaction in Inter-State Cases: A Case Study of Cyprus versus Turkey

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**Abstract :** The European Court of Human Rights (hereinafter ECtHR) delivered its judgment of just satisfaction on the case of Cyprus v. Turkey, ordering a lump sum of 9,000,000 euros as the just compensation. It is the first time that the ECtHR applied the Article 41 of just compensation in an inter-state case, and it stands as the highest amount of just compensation awarded in the history of the ECtHR. The Cyprus v. Turkey case, which represents the most crucial contribution to European peace in the history of the court. This thesis uses the methodologies of textual research, comparison analysis, and case law study to go further on the following two questions specifically:(i) whether the just compensation is applicable in an inter-state case; (ii) whether such just compensation is of punitive nature. From the point of view of general international law, the essence of the case is the state's responsibility for the violation of individual rights. In other words, the state takes a similar diplomatic protection approach to seek relief. In the course of the development of international law today, especially with the development of international human rights law, States that have a duty to protect human rights should bear corresponding responsibilities for their violations of international human rights law. Under the specific system of the European Court of Human Rights, the just compensation for article 41 is one of the specific ways of assuming responsibility. At the regulatory level, the European Court of Human Rights makes it clear that the just satisfaction of article 41 of the Convention does not include punitive damages, as it relates to the issue of national sovereignty. Nevertheless, it is undeniable that the relief to the victim and the punishment to the responsible State are two closely integrated aspects of responsibility. In other words, compensatory compensation has inherent "punitive".

**Keywords :** European Court of Human Right, inter-state cases, just satisfaction, punitive damages

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