

**DISSENTING OPINION OF
JUDGE MÁXIMO PACHECO-GÓMEZ**

I dissent from the majority opinion with regard to operative paragraph 4 of the Judgment, in which the Court decided that the State of Nicaragua must pay fair compensation to Mr. Raymond Genie-Peñalba, considering as I do that the proper course of action would have been to initiate the reparations stage in order to establish the amount of the compensation for the material and moral damage incurred, after hearing the parties and the victim's relatives. The latter are the persons who suffered the consequences of the violation of Article 8(1) of the American Convention, even though it was only his father who was a protagonist in the accusation and who undertook most of the representations made in the various civil and military courts.



Máximo Pacheco-Gómez
Judge



Manuel E. Ventura-Robles
Secretary