|  |  |  |  |
| --- | --- | --- | --- |
| **THE NEGATIVE UNDERSTANDING** **OF ART. 121(5)** | **NON-STATE PARTY** | **NON-RATIFYING** **STATE PARTY** | **RATIFYING STATE PARTY** |
| **NON-STATE PARTY** | **NO** | **NO** | **NO** |
| **NON-RATIFYING** **STATE PARTY** | **NO** | **NO** | **NO** |
| **RATIFYING STATE PARTY****OPTING OUT** | **NO** | **NO** | **NO** |
| **RATIFYING STATE PARTY****NOT OPTING OUT** | **NO** | **NO** | **YES** |

|  |  |  |  |
| --- | --- | --- | --- |
| **THE POSITIVE UNDERSTANDING** **OF ART. 121(5)** | **NON-STATE PARTY** | **NON-RATIFYING** **STATE PARTY** | **RATIFYING STATE PARTY** |
| **NON-STATE PARTY** | **NO** | **NO** | **NO** |
| **NON-RATIFYING** **STATE PARTY****OPTING OUT** | **NO** | **NO** | **NO** |
| **NON-RATIFYING****STATE PARTY****NOT OPTING OUT** | **NO** | **NO** | **YES** |
| **RATIFYING STATE PARTY****OPTING OUT** | **NO** | **NO** | **NO** |
| **RATIFYING STATE PARTY****NOT OPTING OUT** | **NO** | **YES** | **YES** |