|  |  |  |  |
| --- | --- | --- | --- |
| **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** |