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**Committee on the Elimination of Discrimination
against Women**

**Concluding observations on the combined eighth and ninth
periodic reports of Uruguay***

1. The Committee considered the combined eighth and ninth periodic reports of Uruguay (CEDAW/C/URY/8-9) at its 1417th and 1418th meetings, on 14 July 2016 (see CEDAW/C/SR.1417 and 1418). The Committee's list of issues and questions is contained in CEDAW/C/URY/Q/8-9 and the responses of Uruguay are contained in CEDAW/C/URY/Q/8-9/Add.1.

A. Introduction

2. The Committee appreciates that the State party submitted its combined eighth and ninth periodic reports. It also appreciates the State party's written replies to the list of issues and questions raised by the pre-sessional working group and welcomes the oral presentation by the delegation and the further clarifications provided in response to the questions posed orally by the Committee during the dialogue.

3. The Committee commends the State party on its delegation, which was headed by His Excellency Mr. Ricardo Gonzalez Arenas, Ambassador and Permanent Representative of Uruguay to the United Nations Office and other international organizations in Geneva, and included the participation of the Director of the National Women's Institute, members of Parliament and the Judiciary, and representatives of the Office of the Public Prosecutor, the Ministry of Foreign Affairs, the Ministry of Social Development, and the Ministry of Interior.

B. Positive aspects

4. The Committee welcomes the progress achieved since its consideration in 2008 of the State party's combined fourth to seventh periodic reports (CEDAW/C/URG/7), in particular the adoption of the following legislation:

- (a) Act No. 19.353 of 27 November 2015 that creates a National System of Care;
- (b) Law No. 18.868 of 23 December 2013 prohibiting the requirement for a negative pregnancy test upon hiring or at any other time during an employment relationship;

* Adopted by the Committee at its sixty-fourth session (4-22 July 2016).

- (c) Law No. 19.161 of 24 October 2013 which provides maternity, paternity and breastfeeding leave;
- (d) The Migration Law No. 18.250 of 29 December 2013, which recognises equal rights to Uruguayan nationals and foreigners;
- (e) Act No. 19.122 of 21 August 2013 and the Decree No. 144/004 of 22 May 2014, recognising discrimination against Afro-descendant people and providing for positive measures to redress discrimination;
- (f) The Voluntary Termination of Pregnancy Law No. 18987 of 17 October 2012 which provides access to interruption of pregnancy within the first 12 weeks of pregnancy;
- (g) Law No. 18.651 of 19 February 2010 that establishes a comprehensive protection system for persons with disabilities;
- (h) Law No. 18.620 of 12 October 2009 on the right to a gender identity and to change one's name and sex in identity documents;
- (i) The Sexual Harassment Law No. 18561 of 11 September 2009;
- (j) Law No. 18.590 of 9 September 2009 which provides for adoption by same-sex couples;
- (k) Law No. 18.426 of 1 December 2008 and its regulations adopted in 2010 on the right to sexual and reproductive health; and
- (l) Decree No. 398/13 of 13 December 2013 regarding the Prevention of Commercial Sexual Exploitation of Girls, Boys and Adolescents in Tourist Activities.

The Committee takes notes of the adoption of the Law No. 19075 of 10 April 2013, which authorizes same-sex marriages.

5. The Committee welcomes the State party's efforts to improve its institutional and policy framework aimed at promoting gender equality and protecting human rights of women, including the adoption of the following:

- (a) The Action Plan 2016-2019 for a life free of gender-based violence;
- (b) The National Council to Coordinate Public Policies on Sexual Diversity (decree No. 321/015), in 2015;
- (c) The system of protection and assistance for trafficked persons (executive decree No. 588 of 2014);
- (d) The National Plan for Prevention of Cervical Cancer, in 2012;
- (e) The National Office of Domestic and Gender Violence which reports cases of violence to the National Police (decree No. 382 of 2012); and
- (f) The Comprehensive Programme to combat Gender-based Violence, in 2011.

6. The Committee welcomes the fact that, in the period since the consideration of the previous report, the State party has ratified or acceded to the following instruments:

- (a) ILO Convention No. 189, 2011 concerning Decent Work for Domestic Workers, in 2012;
- (b) The International Convention for the Protection of All Persons from Enforced Disappearance, in 2009; and
- (c) The Convention on the Rights of Persons with Disabilities, in 2009, and the Optional Protocol thereto, in 2011.

C. Principal areas of concern and recommendations

Parliament

7. **The Committee stresses the crucial role of the legislative branch in ensuring the full implementation of the Convention (see the statement by the Committee on its relationship with parliamentarians, adopted at the forty-fifth session, in 2010). It invites the Parliament, in line with its mandate, to take the necessary steps regarding the implementation of the present concluding observations between now and the next reporting period under the Convention.**

Afro-descendant women

8. The Committee commends the State party for having taken important actions to promote racial equality with respect to the historical patterns of discrimination against the Afro-Uruguayan population and welcomes the State party's recognition of this segment of the population in the most recent census. However, these actions have not eliminated the problem and there persists a *de facto*, inter-sectional discrimination against Afro-Uruguayan women that can be seen in the disproportionate level of educational exclusion, early pregnancies, lower salaries and more disadvantageous insertion in the labour force, and lower levels of public and political participation.

9. **The Committee recommends that the State party take anti-discriminatory measures in favour of Afro-Uruguayan women as established by Law No. 19.122 and Decree No. 144/014:**

(a) **Strengthen continuous awareness raising campaigns about racism against Afro-Uruguayan women;**

(b) **Establish temporary special measures to increase access to economic, social and cultural rights, and political participation;**

(c) **Actively monitor, supervise and coordinate State responses aimed at dismantling systemic discrimination.**

Legislative framework and visibility of the Convention

10. The Committee notes that the Convention prevails over Uruguay's internal laws and forms part of the national legislative framework that can be invoked and directly applied by the courts. The Committee commends the State party's efforts on training public authorities about the international standards contained in the Convention. However, it observes with concern:

(a) The limited knowledge and awareness of the CEDAW among public officials and lower level judges as evidenced by the scarce references to the Convention in legal decisions;

(b) The low visibility of the Convention and its Optional Protocol that limits the awareness of women about their right to live free of discrimination and of the available mechanisms to claim protection of their rights under the Convention;

(c) The persistence of a legal framework with discriminatory content against women, in particular the Penal Code and the Criminal Procedure Code; and

(d) The uneven implementation of legislation against gender discrimination throughout the country.

11. **The Committee recommends that the State party:**

(a) **Strengthen measures to disseminate the Convention, the Optional Protocol thereto and the Committee's general recommendations among government**

officials and parliamentarians, and intensify existing capacity building activities among the judicial system and the legal professionals regarding how to invoke or directly apply the Convention in court proceedings;

(b) **Adopt a strategy to enhance women's awareness of their rights and the means to enforce them under the Convention, engaging all relevant stakeholders including civil society organizations, women's organizations, unions, and the academia;**

(c) **Amend legislation to eliminate gender-based discrimination, particularly in the Penal Code and the Criminal Procedures Code, and adopt mechanisms to periodically review and modify legislation and provisions that discriminate against women; and**

(d) **Introduce indicators to monitor the implementation of legislation and public policies aimed at eliminating gender discrimination throughout the entire country.**

Access to justice and remedies

12. The Committee notes that the State party has established specialized family courts with competence to deal with cases of domestic violence, as well as multidisciplinary advisory teams and ombudspersons' offices, which provide advice and recommendations on issues related to domestic violence. However, the Committee remains concerned about the persistence of structural barriers in the justice system that prevent women from accessing justice and obtaining redress, namely:

(a) The length and complexity of legal proceedings in family courts, and the duplication of proceedings among different jurisdictions;

(b) The limited availability and accessibility of specialized family courts in rural and border areas;

(c) The absence of a specific complaint mechanism in cases related to all forms of gender-based discrimination;

(d) The limited access of women to legal assistance and information regarding the remedies available to them;

(e) The persisting prejudices in judicial sentencing that results in the lack of protection of women who bring their cases to court, as well as the limited expertise among prosecutors and police regarding women's rights; and

(f) The lack of human and financial resources of the National Human Rights Institution and the Office of the Ombudsperson.

13. **The Committee, in line with its general recommendation No. 33 (2015) on women's access to justice, calls upon the State party to:**

(a) **Review and simplify the proceedings before the specialized family courts for women seeking judicial protection mainly in cases of gender-based violence, provide direct recourse for women victims of violence to the criminal courts, and expedite communication between women claimants and judicial bodies;**

(b) **Expand the coverage of specialized family courts across the territory of the State party, including in rural and border areas, and ensure continuous capacity building programmes for law enforcement officers, including judges and prosecutors on women's human rights and gender equality;**

(c) **Design effective remedies for women who have faced discrimination on the basis of sex and gender, including complaints before administrative authorities and quasi-judicial remedies;**

(d) **Ensure that gender-sensitive legal assistance is provided to all women in search of justice upon violations of their human rights;**

(e) **Establish a mechanism to collect information about case-law at all levels of the judicial system, with the aim to monitor effective law enforcement regarding complaints filed by women, particularly regarding violence and other forms of discrimination; and**

(f) **Ensure that the National Human Rights Institution and the Office of the Ombudsperson are provided with adequate human and financial resources to enable them to effectively fulfil their mandates.**

National machinery for the advancement of women

14. The Committee welcomes the role and numerous initiatives carried out by the National Women's Institute, including the budgetary allocations for gender equality. It also notes the existence of bodies to contribute to the implementation of the gender equality agenda, such as the National Gender Council and gender commissions within the Government, quality committees and gender networks. However, the Committee is concerned about:

(a) The lack of institutional autonomy of the National Women's Institute, as observed in the Committee's previous Concluding Observations (CEDAW/C/URY/CO/7, para. 15), that continues to be a Directorate under the Ministry of Social Development;

(b) The overlapping among different councils and gender commissions in ministries and decentralized public entities that impedes a coherent gender mainstreaming in policies and budget at the national, subnational and local levels of the administration; and

(c) The uneven involvement of women's organizations in the initiatives of public offices for the advancement of women, particularly at the local level.

15. The Committee recommends that the State party:

(a) **Consider upgrading the rank of the National Women's Institute to the ministerial level with authority to directly coordinate all public policies and strategies for gender equality and to ensure appropriate financial resources and a mandate for implementing programmes for the advancement of women, including gender-responsive budgeting with relevant gender units operating at the subnational level;**

(b) **Enhance coordination between the National Women's Institute as the lead entity and the gender commissions, and strengthen monitoring mechanisms for the implementation of legislation and public policies for the advancement of women, particularly at the national, subnational and local levels; and**

(c) **Ensure the active participation of women's organizations and other civil society organizations, including academia, research institutes, unions, Afro-Uruguayan women's organizations, and organizations of women with disabilities, in the implementation of public policies for the advancement of women.**

Stereotypes and discriminatory practices

16. The Committee welcomes the measures taken by the State party to eliminate discriminatory gender stereotypes, including legislation to combat discrimination against lesbian, trans-gender, trans-sexual, and inter-sex persons and homophobia. However, it remains concerned at:

(a) The persistence of patriarchal attitudes and discriminatory stereotypes about the roles and responsibilities of women and men in the family and in society, which perpetuate violence and discrimination against women in areas such as education, employment and health;

(b) The widespread use of gender stereotypes as enshrined in media, despite the Code of Ethics adopted by the National TV Channel to monitor discriminatory practices; and

(c) The racist prejudice and social exclusion suffered by Afro-Uruguayan women despite general laws aimed at combating racial discrimination.

17. The Committee recommends that the State party:

(a) Develop a comprehensive strategy tailored to women, men, girls and boys in order to overcome patriarchal and gender-based stereotypical attitudes about the roles and responsibilities of women and men in the family, in the educational system, the workplace and in society as a whole;

(b) Provide capacity-building to public and private media workers on gender equality in order to prevent discriminatory gender stereotypes in the media; and

(c) Design national strategies aimed at raising awareness about discrimination against Afro-Uruguayan women and create specific lines of action within the gender equality agenda, aimed at identifying stigma against women on the basis of inter-secting forms of discrimination.

Gender-based violence against women

18. The Committee notes the measures taken by the State party under the Action Plan 2016-2019 for a life free of gender-based violence with a generational view as well as the Comprehensive Programme to Combat Gender-based violence. It also welcomes the creation of the national domestic and gender-based violence office at the Ministry of the Interior and the establishment of 47 units specialized in domestic and gender violence. It commends the implementation of the Electronic Ankle Bracelet as a measure for protection of women. However, the Committee remains concerned about:

(a) The high prevalence of domestic violence against women, including psychological, physical and sexual violence, the rise of *femicide* and the lack of legal recognition of certain forms of violence against women, including *femicide* and marital rape;

(b) Discriminatory provisions in the Penal Code (Law No. 9.155 of 1933), including the patriarchal concepts of “honest behaviour,” “virtue” and “public scandal” which prevent prosecution of certain forms of sexual violence against women;

(c) The low number of prosecutions and convictions in cases of violence against women, including in cases of *femicide* and killings of transgender women, and the delay in the prosecution of gender-based violence;

(d) The lack of disaggregated information on the number of reported cases of violence against women other than domestic violence;

(e) The referral of cases of violence against women to mediation procedures contrary to the general prohibition of mediation with respect to cases of domestic violence ratified by the Supreme Court of Justice; and

(f) The limited information about access to support services for women victims of violence, such as medical treatment, psychological counselling, legal assistance, financial support and shelters for women across the territory of the State party and taking into consideration women in disadvantaged situations -particularly Afro-Uruguayan women and women with disabilities.

19. **The Committee calls upon the State party to:**

(a) **Implement and adequately fund nationwide strategies and programmes to prevent and combat domestic violence against women, including raising awareness on the criminal nature of violence against women, and expedite the reform of the Penal Code and the adoption of a comprehensive law criminalizing all forms of violence against women, ensuring that the legislative reform recognises *femicide* and marital rape as a criminal offence;**

(b) **Withdraw provisions in the Penal Code that incorporate patriarchal concepts of “honest behaviour,” “virtue” and “public scandal” as elements of the criminal offences that affect women;**

(c) **Design a strategy to simplify criminal proceedings for the prosecution of gender-based violence as a matter of priority and establish reasonable timeframes for substantiating cases of gender-based violence to hold perpetrators accountable, and provide guidelines for prosecutors and police officers on gender-sensitive investigation techniques and proper use of women’s testimony in cases involving violence against women and girls;**

(d) **Implement a nationwide system for the comprehensive collection of information on all forms of violence against women;**

(e) **Ensure that clear priority is given to civil and criminal proceedings over mediation or other alternative dispute resolution procedures in cases of violence against women, including domestic violence; and**

(f) **Establish monitoring mechanisms to evaluate the accessibility to protection and assistance services for victims of gender-based violence, in particular for disadvantaged groups of women such as Afro-descendant women, women with disabilities, and refugee, asylum-seeking and migrant women.**

Gender-based violence against women during the *de facto* regime

20. The Committee notes with concern the absence of specific mechanisms within the justice system aimed at providing reparations, and compensation for women who suffered sexual violence and other violations of their human rights during the *de facto* regime in the State party from 1973 to 1985. It also notes the absence of processes aimed at establishing the truth about violations of women’s human rights during that period.

21. **The Committee recalls its General recommendation No. 30 (2013) on women in conflict prevention, conflict and post-conflict situations and recommends that the State party adopt a strategy to prosecute and adequately punish perpetrators of human rights violations against women during the *de facto* regime. It also recommends that the State party take measures to provide prompt redress, including compensation and symbolic reparation to women victims of such violations.**

Trafficking and exploitation of prostitution

22. The Committee notes the establishment of institutional committees in the Ministry of Interior and the Women’s National Institute to address trafficking in persons and the development of a national plan of action, as well as guidelines for the protection and assistance of victims of trafficking. The Committee is, however, concerned:

(a) That the State party is both a transit and a destination country for human trafficking, particularly of women and girls; and

(b) The lack of information on the measures taken to identify, prevent and prosecute cases of trafficking for the purpose of labour exploitation and the number of prosecutions and convictions in cases of trafficking.

23. **The Committee recommends that the State party:**

(a) **Adopt a more comprehensive national framework to combat trafficking in women and girls; and**

(b) **Establish a data collection system on trafficking in women and girls, disaggregated by age, ethnic background and socioeconomic condition that allows the identification of gaps in the national framework to combat trafficking; and continue efforts to prevent and prosecute trafficking and to strengthen bilateral, regional and international cooperation to prevent trafficking, including the exchange of information with other countries in the region and the harmonization of legal procedures to prosecute traffickers.**

24. The Committee observes that the State party's legislation recognises sex work (Law 17.515 of 2002) and has established a national registry of sex workers managed by the Ministry of Interior. The Committee, nonetheless, is concerned about the lack of programmes to support women who want to abandon sex work.

25. **The Committee recommends that the State party develop exit programmes for women who wish to leave sex work, including alternative income-generating opportunities.**

Participation in political and public life

26. The Committee remains concerned about the underrepresentation of women in political and public life, including in Parliament and in high-level decision-making positions in the Government, as well as the absence of measures designed to promote and support women candidates for elected bodies. Uruguay's data on women's political participation in Parliament is below the regional average. The Committee regrets that Law No. 18.476 which provides for equal political participation of women and men in elected bodies was applied only once in the 2014 elections. The Committee is also concerned about the low representation of women in the Supreme Court and in the foreign service.

27. **The Committee recommends that the State party:**

(a) **Adopt measures, including temporary special measures, in accordance with article 4 (1) of the Convention and the Committee's general recommendation No. 25 (2004), such as statutory quotas for women's appointment or nomination as candidates, and monitor the progress achieved;**

(b) **Consider adopting a gender parity system for women's representation in political and public life, including an amendment of the Electoral Law; and**

(c) **Develop targeted training and mentoring programmes on leadership and negotiation skills for women candidates.**

Nationality and stateless women

28. The Committee commends the State party for its legislation that protects women against discrimination on the basis of nationality. The Committee is, however, concerned about the absence of legislation on status determination and protection of stateless persons that ensures that stateless women who are not refugees have equal access to documentation and to basic services.

29. **The Committee recommends that the State party adopt legislation on status determination and to protect the human rights of stateless women who are not refugees and reduce their risk of discrimination, in line with its obligations under the Convention relating to the Status of Stateless Persons (1954), as well as the Convention on the Reduction of Statelessness (1961). It also recommends that the State party adopt measures to enable access to**

documentation for these women and to provide them with access to basic services and opportunities of resettlement of stateless women and girls, as well as adopt a system to gather data about stateless women.

Education

30. The Committee welcomes the achievements in women's access to all levels of education, noting that women complete upper secondary education 30.7 percent more often than men. It is also noted that women make up 60 per cent of total university enrolment. The Committee is, nonetheless, concerned about:

- (a) The high drop-out rate among girls from formal education, mainly due to early pregnancy, particularly in rural and deprived urban areas. Afro-Uruguayan adolescents are disproportionately affected and there is a lack of information on the measures taken to address this situation;
- (b) The continued concentration of women in traditionally female-dominated fields of study such as teaching;
- (c) Women's underrepresentation in high-level academic positions;
- (d) Gaps related to age-appropriate education on sexual and reproductive health and their related rights; and
- (e) The lack of measures to increase educational access for Afro-descendant women.

31. **The Committee recommends that the State party:**

- (a) Implement effective strategies to address the high rate of early pregnancy and school drop-outs, with measures to ensure retention and facilitate the re-entry into school of young mothers, including scholarships, particularly for Afro-descendant and rural women and girls, and women living in deprived urban areas, with active monitoring up through tertiary education;**
- (b) Intensify career guidance activities to encourage women to pursue non-traditional career paths and raise awareness on gender equality on the part of teaching personnel at all levels of the education system;**
- (c) Promote specific actions, including temporary special measures, to improve the representation of women in decision-making positions in academia and to increase the number of female professors in universities;**
- (d) Conduct periodic assessments of sex education in the national education system aimed at ensuring age-appropriate education on sexual and reproductive health and rights; and**
- (e) Prioritising measures to facilitate educational access of Afro-Uruguayan women, including the allocation of quotas at the university level, with periodic monitoring of progress.**

Employment

32. The Committee welcomes the increasing integration of women in the formal labour market. It also observes the higher involvement of women in science where there are twice as many women in that area of knowledge compared to men. The Committee commends the State party for the adoption of the National Care System, which can help address the traditionally disproportionate burden of unpaid work for women. The Committee, however, is concerned about:

(a) The higher unemployment and self-employment rates among women (female employment rates are lower than those of men by around 20 percent), and that unemployment especially affects Afro-descendant women;

(b) The gender wage gap, which affects women with higher levels of education, particularly in the private sector;

(c) Overrepresentation of Afro-Uruguayan women in domestic work (1 out of 4 domestic workers) and the lack of effective protection for women domestic migrant workers;

(d) Lesser accumulation of contributions to social security by women employed in the domestic and care sector; and

(e) The low percentage of men using paternity leave despite legislation that provides for paternity leave entitlements in all sectors of employment.

33. The Committee recommends that the State party:

(a) Design and effectively implement strategies and time-bound targets to promote women's access to diverse types of formal employment particularly for Afro-Uruguayan women;

(b) Apply the principle of equal pay for work of equal value and establish a system for reporting on good practices aimed at eliminating the gender wage gap and promoting women's access to decision-making positions, including through preferential promotion of women and training in leadership skills for women in all areas of the economy;

(c) Strengthen public awareness about women domestic workers' rights, ensuring national coverage and accessible information about available complaint mechanisms;

(d) Develop a national campaign for promoting enrolment and periodic contributions to the social security system by employers of domestic and care workers and raising awareness among women about social security; and

(e) Carry out public campaigns among public and private employers that inform men about the importance of taking paternity leave and sharing care responsibilities.

Health

34. The Committee commends the State party for drastically reducing maternal mortality as well as for expanding women's access to sexual and reproductive health services. The Committee is, however, concerned that access to sexual and reproductive health services for women is still limited in rural areas. It also notes with concern the widespread use of conscientious objection among medical practitioners limiting women's access to safe abortion services, which are guaranteed by law. The Committee also wishes to express its concern about the high rate of early pregnancies, particularly among Afro-Uruguayans and those living in rural and deprived urban areas.

35. The Committee recommends that the State party:

(a) Assess the nationwide availability of sexual and reproductive health services in order to identify underserved provinces and municipalities and to ensure appropriate funding;

(b) Take measures to ensure that women have access to legal abortion and post-abortion services and introduce stricter justification requirements to prevent blanket use by medical practitioners of their right to conscientious objection to performing an abortion; and

(c) **Introduce age-appropriate school education on sexual and reproductive health and ensure affordable access to counselling and information on sexual and reproductive rights for adolescent girls and boys, conduct awareness-raising campaigns about modern contraceptive methods and increase access to safe and affordable contraceptives.**

Rural women

36. The Committee commends the State party for conducting its first agricultural census with a gender perspective in 2011. It welcomes its programmes for the expansion of capacities of rural women to engage in business, the programmes to secure access to quality energy services and training for rural women in the generation of simple technologies. However, the Committee notes with concern:

(a) The low employment rate among rural women which constitutes only 37 per cent of the rural workforce;

(b) Rural women's limited access to land title and ownership (only 11.6 percent of women are land owners) and their lack of participation and in decision-making processes concerning the use of land and means of production; and

(c) Gaps in social protection of rural women, particularly in the areas of education, health care, living conditions and social security.

37. **The Committee recommends that the State party:**

(a) **Continue efforts to promote income-generating opportunities for rural women and encourage entrepreneurship by rural women;**

(b) **Ensure that rural women have access to land on equal basis with men by raising awareness about the importance of women's access to land as a factor for development; and**

(c) **Ensure that rural women enjoy equal access to basic services and social protection.**

Disadvantaged groups of women

Refugee and stateless women

38. The Committee notes that the State party has adopted programmes for the social inclusion and/or resettlement of refugees and stateless persons of Colombian and Syrian origin. It is, however, concerned about the situation of migrant and refugee women who are at risk of violence and trafficking.

39. **In line with its general recommendation No. 32 (2014) on the gender-related dimensions of refugee status, asylum, nationality and statelessness of women, the Committee recommends that the State party protect refugee and stateless women against sexual violence and trafficking and adequately punish perpetrators. It also recommends that the State party adopt protocols developed by the Office of the United Nations High Commissioner for Refugees for conducting the refugee status determination process in a gender-sensitive manner, with full respect for the procedural rights of women in need of international protection, including by ensuring that interviews are conducted by trained female interviewers and interpreters.**

Women with disabilities

40. The Committee is concerned about the lack of disaggregated information on the situation of women and girls with disabilities in all areas covered by the Convention, in

particular, access to justice, violence against women, political and public life, education, employment, health care, and economic empowerment.

41. **The Committee recommends that the State party develop a system for the collection of data and conduct assessments of the situation of women with disabilities in all areas covered by the Convention, in particular with regard to violence against women, education, employment and health care. It also recommends that the State party involve organizations of women with disabilities in the work of the Women's National Institute.**

Women in detention

42. The Committee is concerned about the inadequate conditions for women detained with their children and the process of relocation to "Unit 5" in the city of Montevideo of detained mothers, resulting in vulnerable conditions for this group. It is further concerned about reports of women being incarcerated in facilities designed for men where the majority of penitentiary officials are also men.

43. **The Committee recalls the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules, GA resolution 65/229, 21 December 2010) and recommends that the State party make appropriate arrangements for the children of detained women, including the application of alternatives to detention, taking into account the best interest of the child. It also recommends that the State party strengthen monitoring over women in detention in order to prevent human rights violations of women and ensure that legal advice and effective avenues of redress are available to these women.**

Marriage and family relations

44. The Committee is concerned that marriage at the age of 16 is legal in the State party. It also notes the lack of awareness concerning rights in cases of marital dissolution, especially regarding the recognition of unremunerated domestic work within the distribution of marital property, and the different economic implications of marriage versus *de facto* (concubine) union.

45. **The Committee recommends that the State party:**

(a) **Amend its legislation to strictly prohibit early marriages and ensure that girls and boys under 18 years of age must not enter into marriage save in strictly defined exceptions with authorization by a court and with the consent of both spouses;**

(b) **Ensure that any assessment of parental responsibilities of girls and boys are guided by the principle of the best interests of the child and their right to have their views taken into full account; and**

(c) **Ensure equal distribution of joint property between both partners upon dissolution of a marriage or a *de facto* (concubine) unions, and take all necessary measures to ensure awareness of women entering marriage or *de facto* (concubine) union of the different economic implications they entail, in line with the Committee's general recommendation No. 29 (2013) on article 16 of the Convention (economic consequences of marriage, family relations and their dissolution) and guarantee that unremunerated domestic work is adequately taken into consideration upon distributing joint property.**

Beijing Declaration and Platform for Action

46. **The Committee calls upon the State party to use the Beijing Declaration and Platform for Action in its efforts to implement the provisions of the Convention.**

2030 Agenda for Sustainable Development

47. The Committee calls for the realization of substantive gender equality, in accordance with the provisions of the Convention, throughout the process of implementation of the 2030 Agenda for Sustainable Development.

Dissemination

48. The Committee requests the State party to ensure the timely dissemination of the present concluding observations, in the official language(s) of the State party, to the relevant state institutions at all levels (national, regional, local), in particular to the Government, the ministries, the Parliament and to the judiciary, to enable their full implementation.

Follow-up to the concluding observations

49. The Committee requests the State party to provide, within two years, written information on the steps taken to implement the recommendations contained in paragraphs 19 (a) and (f) and 31 (a) and (c) above.

Preparation of the next report

50. The Committee invites the State party to submit its tenth periodic report in July 2020.

51. The Committee requests the State party to follow the harmonized guidelines on reporting under the international human rights treaties, including guidelines on a common core document and treaty-specific documents (HRI/GEN/2/Rev.6, chap. I).
