PRIVATE INTERNATIONAL LAW ISSUES RELATING TO COHABITATION OUTSIDE MARRIAGE (INCLUDING REGISTERED PARTNERSHIPS)

Questionnaire

(E)



About this Questionnaire

1. Couples cohabiting outside marriage may face legal uncertainties when they leave the State where the registered partnership or unmarried cohabitation was formed and become subject to a foreign legal system that does not necessarily recognise their status in relation to one another, or in relation to their (adopted) children, or third parties. Even if they do not leave the State wherein their relationship originated, issues may arise abroad concerning the validity or effects of their relationship or aspects thereof.

2. The Hague Conference on Private International Law ("Hague Conference") has been monitoring the legal situation of cohabiting couples and registered partners, focusing on the private international law implications, since 1987. In March 2015, the Permanent Bureau presented an "[u]pdate on the developments in internal law and private international law concerning cohabitation outside marriage, including registered partnerships" ("2015 Update on cohabitation outside marriage, including registered partnerships" ("2015 Update on cohabitation outside marriage")¹ at the Council on General Affairs and Policy of the Hague Conference ("the Council"). The Council subsequently asked the Permanent Bureau to prepare a Questionnaire to seek further information on private international law issues relating to cohabitation outside marriage, including registered partnerships. It requested that a report on the results from this survey be presented to the Council in 2017.²

3. In line with the mandate provided by the Council, the **objective** of this Questionnaire is to gather information from various national legal systems about aspects of internal and private international law relating to cohabitation outside marriage (*e.g.*, information about the recognition of partnerships registered abroad or the applicable law in cross-border situations). The information gathered will facilitate a better understanding of the issues that registered partners and unmarried cohabitees may face in a cross-border situation.

4. Terms used to describe cohabitation outside marriage differ widely.³ For this reason, and in order to facilitate the survey, it is suggested that the **terminology** as described in the "2015 Update on cohabitation outside marriage" be applied in this Questionnaire:⁴

- The term "cohabitation outside marriage" encompasses "unmarried cohabitation" and "registered partnerships".
- The term "registered partnerships" refers to a form of cohabitation outside marriage which, under the domestic law of the State where it originates, requires the fulfilment of certain formalities, specifically registration in a central registry. The term as used here has a wide meaning and thus also covers, *inter alia*, "domestic partnerships", "civil partnerships", "civil unions", "permanent couple unions", "statutory cohabitation", registered "de facto relationships" and "civil

¹ Prel. Doc. No. 5 of March 2015 for the attention of the Council on General Affairs and Policy of March 2015, available on the Hague Conference website at < <u>www.hcch.net</u> > under "Projects" then "Legislative Projects" and "Cohabitation outside marriage". This document was completed pursuant to the mandate given by the Council in April 2013, which invited the Permanent Bureau to continue to follow developments in this area and, resources permitting, to update its "Note on developments in internal law and private international law concerning cohabitation outside marriage, including registered partnerships", Prel. Doc. No. 11 of March 2008 for the attention of the Council on General Affairs and Policy of April 2008.

² See the Conclusions and Recommendations adopted by the Council of 2015 (24-26 March 2015), para. 10, available on the Hague Conference website at < <u>www.hcch.net</u> > under "Governance" then "Council on General Affairs and Policy".

³ For an explanation of the terminology, see, *e.g.*, Prel. Doc. No. 11 of 2008 (*op. cit.* note 1), paras 10 *et seq.*, paras 18 *et seq.* and paras 72 *et seq.*

⁴ See Prel. Doc. No. 5 of March 2015 (*op. cit.* note 1), paras 7-10.

pacts of solidarity". Individuals in a registered partnership are referred to as "registered partners".

 The term "unmarried cohabitation" refers to concubinage or de facto union without this union having been registered with an authority, formed by the parties' actual cohabitation.⁵ Individuals living in unmarried cohabitation are referred to as "unmarried cohabitees".

5. The **structure** of the Questionnaire reflects the situation that most legal systems which allow for the registration of a partnership draw a distinction between unmarried cohabitation and registered partnerships. For this reason, the questions for each of these (legal) institutions are addressed in different sections of the Questionnaire accordingly (Part A: Registered Partnerships, Part B: Unmarried Cohabitation).

6. The Questionnaire further distinguishes between aspects that are **purely domestic** – aspects of internal law – and those that have an **international connection** – issues of private international law.

7. Moreover, while certain questions are **for all States to complete**, others are **relevant only to specific States**, *e.g.*, those whose internal domestic law provides for the possibility to register a partnership or have a special regime for cohabitation (or attach certain legal effects to cohabitation). Whether a question is to be answered by all or only specific States is indicated at the beginning of each question.

8. Furthermore, if the answer to any of the questions depends on the relevant **type of registered partnership or unmarried cohabitation** (*e.g.*, same-sex or opposite-sex), Members and non-Member States are kindly requested to answer the questions for each of the different types.

9. Finally, while the focus of the Questionnaire lies on the **legal aspects** of cohabitation outside marriage, the final section of the Questionnaire (Part C) asks for **statistical data** which Members and non-Member States are kindly requested to provide to the extent available.

Instructions for completion

10. In this Questionnaire the term "State" is used to cover any jurisdictional unit having competence to regulate the subject matter. Members and non-Member States are invited to complete the Questionnaire for each jurisdictional unit, if applicable.

11. Members and non-Member States are kindly invited to complete the Questionnaire (in either English or French) at their earliest convenience, but in any event by no later than **Friday 16 September 2016**.

12. In order to allow the Permanent Bureau to extract parts of the Questionnaire for a compilation and analysis of the responses, please **use this** *Word* **version** of the document, and please **do not return a** *PDF* **version** of the completed Questionnaire.

13. The Permanent Bureau would also appreciate it if a copy of, or a link to, any **legislation** mentioned in the response (preferably in English or French) could be provided, as well as relevant **case law** on private international law issues in relation to cohabitation outside marriage, including registered partnerships, if available.

14. The completed Questionnaire, as well as additional information on legislation and case law, should be sent by e-mail to < **secretariat@hcch.net** > to the attention of Ms Kerstin Bartsch, Senior Legal Officer, with the subject line: "Questionnaire – Cohabitation outside marriage".

⁵ Since in most legal systems this term is not defined, this is simply a working definition. For an explanation of the terminology, see Prel. Doc. No 11 of 2008 (*op. cit.* note 1), paras 10 *et seq.*

Publication of responses

15. The Permanent Bureau will place all responses to this Questionnaire on the Hague Conference website < <u>www.hcch.net</u> > unless expressly asked not to do so. A report summarising the results of this consultation will also be made available on the Hague Conference website.

Identification

Your contact information:

Name of Member or non-Member State (or territorial unit, where applicable):	República Oriental del Uruguay
For follow-up purposes:	
Name of contact person:	Dr. Carlos Mata, Director of International Law
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PART A: REGISTERED PARTNERSHIPS

The term "**registered partnership**" refers to a form of cohabitation outside marriage which, under the domestic law of the State where it originates, requires the fulfilment of certain formalities (*i.e.*, registration). The term as used here has a wide meaning (see *supra* para. 4).

A.1. INTERNAL LAW

Formation:

- 1. For all States:
 - a. Does the law of your State provide for the possibility of registering partnerships?
 Yes
 No
 - b. If the answer is "No", is the introduction of registered partnerships being envisaged or studied by your State?

2. For States that provide for the possibility to register a partnership:

- a. Who can register a partnership in your State?
 - (1) Only opposite-sex couples
 - 🛛 No
 - (2) Only same-sex couples
 - 🗌 Yes
 - 🛛 No
 - (3) Both opposite-sex and same-sex couples
 - 🛛 Yes
 - 🗌 No

b. If the answer is "Yes" to questions (1) or (2), does your State envisage or study a change in the existing partnership regime? (If yes, please explain.)

3. For States that provide for the possibility to register a partnership:

a. What are the requirements regarding the formation of a registered partnership? (If the answer depends on the relevant type of registered partnership (*e.g.*, same-sex or opposite-sex), please answer the question for each of the different types.).

In particular, does the law of your State include the following requirements?

(1) Neither of the partners must be married or united in a partnership with a third person.

There is no such requirement in the Concubine Unions Act, No. 18,246 (hereinafter the Act), promulgated on December 27, 2007).

(2) The partners must not be related by marriage, adoption or blood. (In the latter case, what is the accepted degree of blood relationship?)

 $\label{eq:constraint} \mbox{The Law only requires that the concubines are NOT united in marriage, but only with each other.$

- Both partners must attain a minimum age in order to form a partnership. (If yes, what is the minimum age?)
 The Law does not establish it.
- (4) Both partners must have the mental capacity to consent to the partnership. The Law says nothing, but it is of its own accord that it does.
- (5) Both partners must consent freely to the partnership.

The Law does not express it explicitly, but like any legal act, it is assumed that there must be free consent.

(6) Please state any other requirements:

The law requires five years of uninterrupted coexistence for the constitution of the union concubinage.

 Does your State envisage or study any changes regarding the present requirements? (If yes, please explain.) Not for now.

Effects:

- 4. For States that provide for the possibility to register a partnership:
 - a. What **rights** and **obligations** do registered partners have under the internal law of your State?

Please answer this question by taking into account the following subject matters and provide the legal basis (*i.e.*, legal rules or case law). (If your answer depends on the relevant type of registered partnership (*e.g.*, same-sex or opposite-sex), please answer for each of the different types.)

- (1) relationship between partners, *e.g.*,
 - (a) personal obligations and duties of partners (*e.g.*, duty of care of partners):

personal and material assistance (household expenses).

(b) maintenance obligations:

Yes, it is established in art. 3 of the Law.

(c) property

Yes, art. 5 lit. A) and b) establishes common property of goods between the concubines with registered recognition.

(d) inheritance:

Yes, art. 11 of the Law: dissolved the concubinage by the death of one of the concubines, the other will have the rights that art. 1206 of the Civil Code grants to the surviving spouse. If there is a surviving spouse, he / she will concur with the concubine, integrating the same part, and in proportion to the years of coexistence.

(e) other(s):

Yes, rights to social security, art. 15 of the Law.

- (2) children, *e.g.*,
 - (a) parental status: Art. 9 lit.b) of the Law.
 - (b) parental responsibility: Art. 9 lit.b) of the Law.
 - (c) child support: Art. 9 lit.b) of the Law.
 - (d) adoption: The Law says nothing about it.
 - (e) inheritance:

The Law has nothing in this respect but govern the general rules of succession of the Civil Code, which does not disagree between matrimonial and nonmarital children.

- (f) assisted reproduction: The Law says nothing about it.
- (g) surrogacy: The Law says nothing about it.
- (h) other(s):
- (3) other financial matters, *e.g.*,
 - (a) pensions, including social security benefits: Chapter V of the Law, arts. 14 et seq.
 - (b) other(s):
- b. Does your State envisage or study any changes in respect of these effects? (If yes, please explain.)

- 5. For States that provide for the possibility to register a partnership:
 - a. Consider the situation where a couple has registered their partnership in your State.

Does your State have a special procedure for **annulment** and / or **dissolution** of the partnership? Please describe the judicial or administrative process. (If your answer depends on the relevant type of registered partnership (*e.g.*, same-sex or opposite-sex), please answer for each of the different types.)

b. Does your State envisage or study any changes regarding the conditions or procedures for annulment or dissolution of a registered partnership? (If yes, please explain.)

Yes, the dissolution of the concubinage union is regulated by Chapter III of the Law, arts. 8 to 11. The grounds are provided by art. 8 of the Law: A) Judgment. B) Death. C) Declaration of absence.

A.2. PRIVATE INTERNATIONAL LAW

Formation (in situations with an international element):

- 6. For States that provide for the possibility to register a partnership:
 - a. Does the law of your State provide for the possibility of registering a partnership if:
 - (1) One partner is a national of your State and the other partner is not?
 ☑ Yes
 If yes, are there further requirements (*e.g.*, regarding habitual residence)?

🛛 No

(2) Neither of the partners are nationals of your State?
 ☑ Yes

If yes, are there further requirements (e.g., regarding habitual residence)? No

🗌 No

(3) One partner is habitually resident in your State and the other partner is not \fbox Yes

If yes, are there further requirements (e.g., regarding nationality)?

🗌 No

(4) Both partners have their habitual residence in a State other than your <u>State?</u>

Yes If yes, are there further requirements (*e.g.*, regarding nationality)? No

🗌 No

- b. If the response to any of these questions is "Yes":
 - (1) Does the internal law of your State govern the *formal* requirements for registration in your State, or does, under the conflict of law rules of your State, the internal law of another State apply and, if so, what law(s)? The registration of the concubine union is regulated by the Cap.IV of the

Law. It does not make mention to the foreign concubine unions.

(2) Does the internal law of your State govern the *substantive* requirements for registration in your State, or, does, under the conflict of law rules of your State, the internal law of other State(s) apply and, if so, what law(s)? Same as previous question

Recognition of the validity and effects of a partnership registered abroad:

- 7. For all States:
 - a. Would the **validity** of a partnership registered abroad be **recognised** in your State?

🛛 Yes

Yes, except for situations where there is a substantial link to my State.

Please indicate what connecting factor(s) would prevent recognition (e.g., no recognition if one or both partners are nationals of or habitually resident in your State).

☐ Yes, with exceptions (*e.g.*, where there is no substantial connection of partners with my State, or: no connection between the partners and the State of registration).

Please provide details of any such exceptions to recognition by your State.

🗌 No

- b. Would any of the following **effects** of the partnership registered abroad be **recognised** in your State?
 - (1) relationship between partners, e.g.,
 - (a) personal obligations and duties of partners (*e.g.*, duty of care of partners):

yes

- (b) maintenance obligations: yes
- (c) property: yes
- (d) inheritance: yes

(e) other(s):

(2) children, *e.g.*,(a) parental status:

yes

- (b) parental responsibility: yes
- (c) child support: yes
- (d) adoption:In this case it is not expressly established in the Law, but rules of the

right of adoption provided for in Uruguayan legislation govern.

(e) inheritance:

In this case, it is not expressly established in the Law but it governs general rules of inheritance of the Civil Code.

- (f) assisted reproduction: There is no specific regulation in the Law.
- (g) surrogacy: There is no specific regulation in the Law.
- (h) other(s):
- (3) other financial matters, e.g.,
 - (a) pensions, including social security benefits:
 Idem to the responses for the concubinates constituted in Uruguay.
 - (b) other(s):
- (4) Would the registered partnership constitute an impediment to the conclusion or formation by one of the partners of a marriage or a new partnership with a third person?

Yes

🛛 No

- (5) Would the surname declared by the partners upon the registration of their partnership be recognised in your State?
 - Yes
 - 🗌 No
- c. If your response to a. is "Yes" or "Yes, except for situations where there is a substantial link to my State", what are the **requirements for recognition** of the **validity** of the registered partnerships?

The same as for those constituted in Uruguay.

In particular, does the law of your State require any of the following?

- (1) The registered partnership must be valid in accordance with the internal law or conflict of law rules of the State in which registration took place.
 - 🛛 Yes

🗌 No

- (2) There is a civil status document proving the (existence and) validity of the registered partnership.
 - 🛛 Yes

🗌 No

- (3) Neither of the partners is married or united in a partnership with a third person.
 - 🗌 Yes
 - 🛛 No
- (4) The partners are not related by marriage, adoption or blood. (In the latter case, what is the accepted degree of blood relationship?)

- 🛛 Yes
- 🗌 No

Only the art. 2 of the Law requires that those who propose to constitute a union concubinage, logically are not already married to each other.

- (5) Both partners had attained a minimum age when they formed the partnership.
 - 🗌 Yes
 - 🛛 No
- Both partners had the mental capacity to consent to the partnership.

 ⊠ Yes
 - □ No
- (7) Both partners had consented freely to the partnership.
 - 🛛 Yes
 - 🗌 No
- (8) The effects of the partnership under the applicable law must be similar to those of a marriage:
 - 🛛 Yes
 - 🗌 No
- (9) The effects of the partnership granted in the State where the partnership was registered should not exceed the effects granted for registered partnerships under your State.
 - Yes
 - 🛛 No
 - Not applicable (My State does not provide for registration of a partnership.)
- (10) Any other requirements for the recognition of the (existence and) validity of the registered partnership (please explain):
- (11) May or must recognition of the (existence or) validity of a registered partnership or its effects be refused if this recognition would be manifestly contrary to public policy? If yes, under which circumstances?
 Yes

🛛 No

d. Would your reply to the previous questions be different when a question regarding the validity or effects of a registered partnership arises as a **preliminary issue** in the context of another question of private international law before the authorities of your State (*e.g.*, about maintenance or inheritance)?

Under Uruguayan Law, preliminary or preliminary issues are regulated by art. 8, Convention on General Standards of Private International Law, ratified by the country. This article leaves freedom for the judge to apply the theory of hierarchy or equivalence. In the same sense, in the draft General Law of Private International Law, with a parliamentary average sanction, art. 10, it is provided that the previous issues are regulated by the law applicable to each of them. That is to say, it was clearly and explicitly chosen here by the theory of equivalence.

Recognition of the annulment or dissolution of a partnership registered abroad:

8. For all States:

Consider the situation where the partners have registered their partnership in State X. Subsequently, their partnership has been dissolved or annulled in that State or in a third State.

Would the **annulment** or **dissolution** of the partnership be **recognised** in your State? If so, under what conditions?

🛛 Yes

Chapter III of the Law, arts. 8 et seq.

🗌 No

□ Not applicable (My State would not recognise the validity or certain effects of the partnership.)

9. For States that provide for the possibility to register a partnership:

Consider the situation where partners have registered their partnership in your State. Subsequently the partnership has been dissolved or annulled in a *foreign* State. Would that **dissolution** or **annulment** be recognised in your State? If so under what conditions?

🛛 Yes

Under the same conditions as the consubstantial unions constituted in Uruguay. $\hfill \mathsf{No}$

Jurisdiction:

- 10. For States that provide for the possibility to register a partnership:
 - a. Please state any specific rule applying in your State concerning the **jurisdiction** of the authorities of your State regarding the **validity** of
 - (1) a partnership registered in your State. Art. 8, lit.a) of the Law.
 - (2) a partnership registered in a foreign State. There is no express provision in the Law.
 - b. Please state any specific rule applying in your State concerning the **jurisdiction** of the authorities of your State regarding the **annulment** and **dissolution** of
 - (1) a partnership registered in your State. Art. 8, lit.a) of the Law.
 - (2) a partnership registered in a foreign State.

There is no express mention in the Law but the foreign concubinage union can be dissolved before the Uruguayan justice, according to art. 8 lit.a) of the same. This is because it is not expressly demanded in the Law that the concubinage union to be dissolved is constituted only in Uruguay.

Applicable law (conflict of laws):

- 11. For States that provide for the possibility to register a partnership:
 - a. Please state any specific conflict of law rule(s) applying in your State concerning the validity or any of the effects, or the dissolution or annulment of a registered partnership.

There is no express legal provision in this regard.

b. In particular, please explain your State's approach to determine the applicable law, *e.g.*, application of, exclusively, domestic law to the effects of the partnership; application of the law of the common habitual residence of the partners, application of the law where the partnership was registered (*lex loci registrationis* rule). (See Prel. Doc. No 5 of March 2015, paras. 49 *et seq*.)

There is no express provision in the Law, but the foreign union will be regulated in Uruguay according to the national law of constitution of the same, in application of the principle of Private International Law: constitution valid at the moment of the birth of the legal relationship, art. 7, Convention on General Standards of Private International Law, is still valid thereafter.

12. For States that provide for the possibility to register a partnership:

Does your State envisage or study any changes in relation to the conflict of law rules and other private international law aspects of registered partnerships (*e.g.*, in relation to the formation of a partnership, the recognition of the validity and effects of a partnership registered abroad or the recognition of the annulment or dissolution of a partnership)? (If yes, please explain.) Not at the moment.

Not at the moment.

Legal and practical problems:

- 13. For all States:
 - Do you know of any legal and / or practical problems that have arisen in your State in the context of registered partnerships where there are international elements involved? If so, please describe briefly.
 - In particular, do you know of any situation where registered partners lost rights they had acquired under the law of the State where they had registered their partnership after moving to another State? If so, please describe briefly.
 No

PART B: UNMARRIED COHABITATION

The term "**unmarried cohabitation**" refers to *concubinage* or *de facto* union without this union having been registered with an authority, formed by the parties' actual cohabitation (see *supra*, para. 4).

B.1. INTERNAL LAW

Legal regime and effects:

- 14. For all States:
 - a. Does the national law of your State establish a specific legal regime for cohabitation? (If yes, please explain.)
 Yes

🛛 No

b. If not, does the national law of your State attach certain legal effects to (aspects of) cohabitation? (If yes, please explain.)
 Yes

When the Law becomes applicable, while there is no legal regulation in Uruguay for cohabitation other than that of concubine unions.

🗌 No

15. For States that establish a specific legal regime for cohabitation or which attach certain legal effects to (aspects of) cohabitation:

What **rights** and **obligations** do unmarried cohabitees have under the law of your State? Are there any requirements which have to be fulfilled before such rights or obligations arise?

Please answer both questions by taking into account the following subject matters and provide the legal basis (*i.e.*, legal rules or case law). (If the answer depends on the type of unmarried cohabitation (*e.g.*, whether the couple is of the same-sex or opposite-sex), please answer the question for each type):

- a. relationship between unmarried cohabitees, e.g.,
 - (1) personal obligations and duties of unmarried cohabitees (*e.g.*, duty of care of unmarried cohabitees):
 - Idem Concubinage Union
 - (2) maintenance obligations: Idem Concubinage Union
 - (3) property relations: Idem Concubinage Union
 - (4) inheritance: Idem Concubinage Union
 - (5) other(s):
- b. children, e.g.,
 - (1) parental status:

There is no legal regulation in Uruguay for cohabitation (concubinage), different from what is established in the Concubine Unions Act, so that all that is questioned below, in this numeral, replies that all these subjects are regulated by what is envisaged in said Law, and as already answered above, (parental status, parental responsibility, maintenance of children, inheritance) and in what is not foreseen by it, by the legal regulation of its own category in Uruguayan Law (adoption, assisted reproduction).

- (2) parental responsibility: see above
- (3) child support: see above
- (4) inheritance: see above
- (5) adoption: see above

- (6) assisted reproduction: see above
- (7) surrogacy:
- (8) other(s):
- c. other financial matters, *e.g.*,
 (1) pensions, including social security benefits:
 - (2) other(s):

B.2. PRIVATE INTERNATIONAL LAW

Recognition of the validity of a special legal regime for, or of certain legal effects of, unmarried cohabitation:

16. For all States:

Consider the situation where a couple has acquired certain rights and obligations under a special legal regime for unmarried cohabitation in State X, or the couple has acquired certain rights and obligations because the laws of State X attach certain legal effects to their unmarried cohabitation.

- a. Would the **validity** of the legal regime for unmarried cohabitation of State X be recognised in your State?
 - Yes
 - 🗌 No
- b. Would any of the **effects** which the unmarried cohabitation has under the laws of State X be recognised in your State?
 - Yes
- c. If the answer to a. or b., is "yes", what are the requirements (*substantive and / or formal* requirements) for the recognition of the legal regime or of its effects?
 According to the law where they were acquired.
- d. Would the reply to the previous questions be different when a question regarding the validity or effects of the unmarried cohabitation arises as a **preliminary issue** in the context of another question of private international law before the authorities of your State (*e.g.*, about maintenance or inheritance)?

In previous or incidental matters, as already mentioned above, Article 8, Convention on General Standards of Private International Law, ratified by Uruguay, is governed.

Jurisdiction:

17. For States that provide for a specific legal regime for cohabitation or which attach certain legal effects to (aspects of) cohabitation:

Please state any specific rules applying in your State concerning the **jurisdiction** of the authorities of your State regarding the specific legal regime for cohabitation or its effects.

If there is and is an international treaty in force in the matter, it must apply the same and be to the solutions of this one. If not, art. 2401 of the Civil Code Appendix, which gives jurisdiction to the judge of the State whose law regulates the disputed question (Criterio Asser) or at the option of the plaintiff, the judge of the State of the domicile of the defendant (subjective subjective criterion) is competent.

Applicable law (conflict of laws):

18. For States that provide for a specific legal regime for cohabitation or which attach certain legal effects to (aspects of) cohabitation:

Please state any specific conflict of law rules applying in your State concerning the legal regime for cohabitation or concerning the legal effects attached to (aspects of) cohabitation.

There is no Uruguayan national source regulation regarding this

Legal and practical problems:

- 19. For all States:
 - Do you know of any legal and / or practical problems that have arisen in your State in the context of unmarried cohabitation where there are international elements involved? If so, please describe briefly.
 - b. In particular, do you know of any situation where unmarried cohabitees lost rights they had acquired under the law of the State where they had cohabited after moving to another State? If so, please describe briefly.

There are no known cases. Uruguay respects the rights acquired under the legislation of constitution of the link.

Future developments:

20. For all States:

Are any developments foreseen in your national law, *e.g.*, modification or introduction of a legal regime for cohabitation or of certain legal effects of cohabitation? Are any developments foreseen in relation to private international law aspects of cohabitation outside marriage?

YES. In the Draft General Law of Private International Law, art. 27 (Non-Matrimonial Unions), by which they are regulated by "lex constitutionis" and the effects by law where they are intended to enforce.

PART C: Statistics

21. For all States:

Please provide any statistics relating to registered partnerships and unmarried cohabitation where applicable, if available, *e.g.*,

a. the (estimated) number of registered partners in your State and any trend in this regard;

The number is unknown

- b. the (estimated) number of couples who are cohabiting without being married in your State and any trend in this regard:
 The number is unknown
- c. the (estimated) birth / adoption / surrogacy rates for registered partners and unmarried cohabitees in your State and any trends in this regard: The number is unknown

- d. the (estimated) number of registered partnerships that have been annulled or dissolved in your State:
 Data is not available
- e. the (estimated) number of international couples (*i.e.*, at least one partner is not a national of or habitually resident in your State) and any trends in this regard:
 Data is not available
- f. any other relevant statistics: Data is not available.