



TEXTS ADOPTED

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Iraq, notably the situation of women's rights and the recent proposal to amend the Personal Status Law

European Parliament resolution of 10 October 2024 on Iraq, notably the situation of women's rights and the recent proposal to amend the Personal Status Law (2024/2858(RSP))

The European Parliament,

- having regard to its previous resolutions on Iraq,
- having regard to Rules 150(5) and 136(4) of its Rules of Procedure,
- A. whereas Iraq's Parliament is drafting highly restrictive amendments to Law 188/1959 (the Personal Status Law), affecting women's rights; whereas as a result, family matters, including marriage, divorce and child custody, would effectively fall under the remit of religious rather than civil courts, entailing disturbing discrepancies along religious lines, according to UN experts; whereas for some, the minimum legal marriageable age would be 9 for girls and 15 for boys, and there are fears of increased violence against women in the future; whereas 22 % of unregistered marriages involve girls under 14; whereas the draft amendments increase the vulnerability of female children, especially orphans and children from low-income families, and exacerbate the risk of them falling victim to human trafficking and exploitation by guardians and/or relatives; whereas the Supreme Court endorsed the constitutionality of the most problematic amendments before a third reading, which was postponed on 2 October 2024; whereas the women's rights situation in Iraq already drew fierce criticism;
- B. whereas Iraq's UN mission UNITAD, which had been investigating sexual crimes committed by Daesh against women, particularly Yazidis, had to close on 17 September 2024 following last year's decision, supported by Russia and China, to discontinue its UN Security Council mandate; whereas Iraq's UN mission UNAMI will also have to close in 2025;
- C. whereas the 2016 Sakharov Prize for freedom of expression was awarded to Nadia Murad and Lamiya Aji Bashar, two Iraqi Yazidi

women, for their struggle against conflict-related sexual violence;

- D. whereas Article 14 of Iraq's constitution states that 'Iraqis are equal before the law without discrimination based on gender';
- E. whereas 73 % of respondents surveyed by the Iraq Polling Team expressed 'strong opposition' to the changes to Law 188/1959;
- 1. Urges Iraq's Parliament to fully and immediately reject the proposed amendments to Law 188/1959 (the Personal Status Law); underlines, with utmost concern, that the amendments would violate Iraq's international obligations regarding women's fundamental rights, and result in a significant rollback, an increasingly negative international reputation and the withholding of some foreign assistance from bilateral and multilateral organisations;
- 2. Praises the women, including members of the Iraqi Parliament, who have condemned the reform, and the NGOs, activists and members of civil society who have fought since 1959 to preserve one of the most progressive laws in the region;
- 3. Calls on the VP/HR and the Member States to condemn the proposed amendments; calls on the EU delegation to Iraq to make development grants conditional on judicial training on sexual and gender-based violence and the establishment of women's shelters; urges Iraq to adopt a national action plan to eliminate child marriage, criminalise marital rape, fight domestic violence and strengthen women's and girls' rights, in line with the UN Convention on the Elimination of All Forms of Discrimination against Women; calls for a reinforced partnership with the Human Rights Committee of Iraq's Parliament, in line with Iraq's international obligations;
- 4. Recalls that the current Personal Status Law requires children with at least one parent who has converted to Islam to become Muslims themselves; deplores the fact that the proposed amendments to the law, if enacted, would lead to an even more radical application of Sharia; states that these new provisions would also undermine the Iraqi State and affect the country's minorities; expresses its deep concern about the consequences of these amendments for Iraq's Christian communities;
- 5. Calls on the Member States to increase their support to women's and children's rights defenders in Iraq;
- 6. Is highly concerned by the lack of legal protection in the penal code for women and child victims of domestic violence and calls for improvements;
- 7. Instructs its President to have this resolution translated into Arabic and to forward this resolution to Iraq's Parliament and Government, the VP/HR and the Member States.