



## 2.2.1 Amendment on Personal Status Law

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In August 2024, Iraq's parliament read a bill proposing changes to the Personal Status Law,[480](#) the main legal framework regulating family matters in Iraq.[481](#) Backed by the Shiite Coordination Framework, [482](#) the amendments grant Sunni and Shia religious councils the authority to develop their own 'code of Sharia rulings' on matters related to personal status,[483](#) with significant impact in the legal implementation of gender equality within the Iraqi society. [484](#) Muslim couples are required to declare their sect when concluding a marriage contract[485](#) and to choose whether to be governed by the 1959 Personal Status Law or a sect-specific *mudawana* (Personal Status Code).[486](#) Couples cannot later change this choice.[487](#) In the final version approved, only Shia couples are granted the option between the Personal Status Law and the *mudawana*,[488](#) which is to be drafted by the Shia Jafari school of Islamic jurisprudence, [489](#) while Sunni couples remain subject to the Personal Status Law.[490](#) The Jaafari Jurisprudence Code was passed by the Iraqi parliament on 27 August 2025.[491](#)

In its first articulation, the amendment would allow nine year-old girls to be married and limit women's rights regarding custody, inheritance and divorce,[492](#) and women's alimony would be conditioned on the 'enjoyment' of the marriage by the husband.[493](#) In January 2025, the law has passed,[494](#) giving the religious authorities power to decide on family matters and effectively abolishing the ban on child marriage that has been in place since the 1950s.[495](#) A new code for the Shia Muslims adopting the changes was meant to be drafted within four months.[496](#) While widely supported by Shias clerics, Sunnis were mostly against the amendment,[497](#) whereby Sunni religious scholars refused to participate in drafting their own *mudawana*.[498](#) By granting clerics the authority to conduct marriages, the law raised women's organisations concerns over the potential legalisation of the so-called pleasure marriages.[499](#) Amendment also maintained the existing provisions in the Personal Status Law concerning polygamy.[500](#) After a suspension by the Iraq's Federal Supreme Court because of the irregularities in the voting process,[501](#) the amendment eventually entered into force on 17 February 2025.[502](#) The final text of the personal status codes stipulates that the minimum age of marriage in the *mudawana* must conform with the Personal Status Law of 1959,[503](#) which sets the legal age for marriage at 18, or at 15 with judicial consent based on the child's 'maturity and physical capacity'. [504](#) Despite this provision, the amendment 'continues to pose serious risks to the rights of Iraqi women and girls', particularly regarding temporary and unregistered marriages, the regulation of polygamy, and alimony. It also undermines gender equality by granting precedence to the husband's personal status code over that of the wife in cases of disagreement on family matters.[505](#) Additionally, it is believed that marriages of underage girls will likely unofficially continue or will be registered upon reaching the legal age.[506](#)

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