

2.7.5 Child marriage

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Iraq's Personal Status Law sets the minimum legal age of marriage at 18, with the possibility to lower it to 15 years (16 in KRI) 895 under specific circumstances, and with a judge's approval 896 for everyone, irrespective of their religion.897 According to the *Jaafari* legal practice, followed by many Shia Muslims in Iraq, girls may marry from nine years old and boys from 15. 898 The January 2025 amendment to the Personal Status Law was feared to further increase rates of child marriage.899 The final version of the personal status codes is required to respect the age restrictions set out in the original Personal Status Law of 1959.900 However, it is believed that underage marriages of girls are expected to continue informally, or to be registered upon reaching the legal age.901 (See also section 2.2) In the KRI, child marriages have been legally recognised as a form of domestic violence.902

Child marriage in Iraq is driven by a variety of factors such as poverty, religion, low levels of education and a notion of family honour; such marriages are not recognised by the state, leaving child brides without legal rights in such unions.903 Prevalence of child marriages in Iraq has been steadily rising since 2003,904 with 'thousands of couples' entering in unregistered marriages every year to circumvent restrictions on child and forced marriage enshrined in the Personal Status Act.905 Politicians, Shia clerics and social media influencers have increasingly spoken in favour of child marriages, defending them as part of the culture, 'divinely mandated', while speaking against them was dismissed as 'western propaganda'.906 In *mut'ah* ('pleasure') marriages, sanctioned by some Shia clerics but rejected by Sunni Islam, a contract is established between a man and a woman for a fixed period and a specified amount of money. Girls as young as nine years old were reportedly married in these unions. Obligations of husbands cannot be enforced in courts and girls face stigma and risk of honour-based violence if they want to leave. 907 According to UNICEF, 22 % of unregistered marriages involved girls under 14 years old.908 See section on Forced and unregistered marriage. In 2022, 28 % of girls were married before they turned 18 and 7 % before they turned 15.909 Concerning the regional prevalence, the highest was found in southern governorates with Shia majorities, reaching around 40 % of marriages in Missan, Najaf, and Karbala.910 In the KRI, prevalence of forced marriages reached 20 %, with higher prevalence in rural areas.911

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