



Plenary sitting

B10-0092/2024

8.10.2024

MOTION FOR A RESOLUTION

with request for inclusion in the agenda for a debate on cases of breaches of human rights, democracy and the rule of law

pursuant to Rule 150 of the Rules of Procedure

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

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on behalf of the S&D Group

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Motion for a European Parliament resolution 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 Rule 150 of its Rules of Procedure,

A. whereas women's movements have played a key role in fighting political and religious extremism in Iraq;

B. whereas the European Parliament awarded the 2016 Sakharov Prize to Nadia Murad and Lamiya Aji Bashar, two Yazidi women from Iraq, for their struggle against conflict-related sexual violence;

C. whereas amendments to the Personal Status Law 188 of 1959 were presented in the Parliament of Iraq,

D. whereas the proposed amendments constitute a serious reduction of rights in areas such as marriage, divorce, and child custody,

E. whereas article 14 of the Constitution of Iraq states that "Iraqis are equal before the law without discrimination based on gender [...]",

1. Expresses concern about the proposed amendments to the Personal Status Law 188 of 1959 in Iraq,

2. Believes that, if enacted, the amended law will undermine the rights and equal treatment of women and children, in violation of UN conventions, including ICCPR, ICESCR, CEDAW, and CRC, to which Iraq is a state party; and failing to uphold such obligations will seriously erode core human rights and the protection of women and children,

3. Recalls that States parties to the CEDAW Convention should adopt family or personal status laws that provide for equality irrespective of their religious or ethnic identity; and that in the absence of a unified family law, the system of personal status laws should provide for individual choice as to the application of religious law, ethnic custom or civil law,

4. Reiterates CEDAW's concerns that identity-based personal status laws and customs perpetuate discrimination against women and that multiple legal systems are in itself discriminatory against women,

5. Calls on Iraqi political and religious leaders, parliament, judicial authorities, and social institutions, to consider the significant negative consequences of the proposed amendments and appeals to place the interests of women and children at the centre of deliberations,

6. Urges Iraqi authorities to withdraw the proposed amendments to the Personal Status Law and to undertake a series of reforms, such as:

a) a national action plan to eliminate child marriage,

b) minimum age of marriage at 18 with no exceptions,

c) criminalizing marital rape in all circumstances,

d) a comprehensive domestic violence law, and acceding to CEDAW Optional Protocol,

e) ensuring that people subjected to child or forced marriages can seek an annulment without undue burden placed on the victim,

f) repealing the articles of the Iraqi Penal Code which give a husband a legal right to “punish” his wife “within limits prescribed by law or custom” and provide a reduced sentence for individuals who kill or assault their wives in the act of adultery,

7. Instructs its President to forward this resolution to the President of the Council and of the Commission, to the High Representative of the Union for Foreign Affairs and Security Policy, and to the Parliament of Iraq.

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