

IIFA and Saudi Food and Drug Authority Host Symposium on Halal Product Issues



The International Islamic Fiqh Academy (IIFA), in collaboration with the Saudi Food and Drug General Authority, organized a symposium addressing medical fiqh issues related to halal products. Held in Jeddah, Saudi Arabia, on 21-22 Rabiul Awwal 1446 (24-25 September 2024), the event brought together distinguished participants, including H.E. Sheikh Dr. Saleh bin Abdullah bin Humaid, Member of the Saudi Council of Senior Scholars, Imam-Khatib of the Grand Mosque of Makkah, and President of IIFA; H.E. Prof. Hisham bin Saad Al-Judhaie, CEO of the Saudi Food and Drug General Authority; and H.E. Prof. Koutoub Moustapha Sano, Secretary General of IIFA, along with numerous scholars, experts, and specialists. In his opening remarks, H.E. Sheikh Dr. Saleh bin Abdullah bin Humaid expressed heartfelt thanks to the Custodian of the Two Holy Mosques, King Salman bin Abdulaziz Al Saud, and His Royal Highness Prince Mohammed bin Salman bin Abdulaziz Al Saud, the Crown Prince and Prime Minister, for their steadfast support of IIFA. He also praised the Kingdom of Saudi Arabia for providing the resources necessary to help the Academy achieve its objectives. Highlighting the importance

of the symposium, he remarked: “One of the Academy’s primary missions is to clarify Shariah rulings on contemporary issues, facilitating their implementation in legislation and governance. It also offers interpretations of Shariah perspectives on emerging challenges. Jurists and scholars must approach these developments with deep insight, guided by divine revelation, authentic prophetic traditions, and the methodologies of the early scholars, utilizing sound reasoning and deduction.” H.E. Prof. Hisham bin Saad Al-Judhaie emphasized the significance of the collaboration, stating: “This strategic partnership with IIFA allows us to address emerging developments in the food industry from a jurisprudential perspective, thereby ensuring the integrity of halal products

for Muslims globally. We are working toward unifying global halal standards and enhancing coordination with relevant organizations. Agreements with research centers have also been established to advance legislative and technical studies.” H.E. Prof. Koutoub Moustapha Sano commended the partnership, highlighting the complexity of contemporary food production and the need for collective efforts among scholars and experts. He explained: “Institutions of collective ijihad bring together scholars from various disciplines—including the human, social, and natural sciences—to develop well-founded Shariah rulings. This symposium aims to provide clarity on new food-related issues and encourage participants to engage in thoughtful and critical analysis.” The symposium concluded with a final statement summarizing the sessions, which will be published soon, In Sha Allah. This event highlights the ongoing collaboration between IIFA and the Saudi Food and Drug General Authority, following their successful co-hosting of a conference in June 2022 on Shariah rulings for food-related matters.



Secretary General of IIFA Participates in Global Conference on Faith in a Changing World



H.E. Koutoub Moustapha Sano, Secretary General of the International Islamic Fiqh Academy (IIFA), took part in the international conference titled “Faith in a Changing World”. The event, held under the patronage of King Mohammed VI of Morocco, may Allah protect him, was organized by the Muhammadiyah League of Scholars in collaboration with the



religions—especially monotheistic ones—are under assault through distortion and hate campaigns. He remarked: “There is a relentless and dangerous attack on philosophy and logic in the Muslim world. Historically, anyone who discussed philosophy or logic was often accused of heresy or deviation, much like how past philosophers, both Muslim and non-Muslim, were unfairly judged. It is essential to reclaim the true meaning of philosophy, which fundamentally denotes the pursuit of wisdom. We should all ask ourselves: Who among us does not value wisdom?” H.E. Sano further emphasized the need to study philosophical theories deeply before forming judgments about them. He stated: “Sound judgment arises from proper understanding. Without a comprehensive grasp of the mental framework behind philosophical theories, judgments risk being unjust and misguided. Philosophy, at its core, is about the love of wisdom, and there is great value in fostering this love responsibly.” He concluded by calling



for a revival of philosophical studies in universities and institutions, advocating for the reinstatement of philosophy departments, many of which have been eliminated due to persistent opposition. The conference concluded with the issuance of a statement titled “Faith in a Changing World”. The document called



Muslim World League. It took place on 12-13 Rabi al-Akhir 1446 (15-16 October 2024) in Rabat, Morocco, and brought together prominent religious leaders, intellectuals, and scholars to address issues of faith and contemporary atheism. During the conference, H.E. Koutoub Moustapha Sano chaired the fourth session titled “The Role of Philosophical and Epistemological Theories in Shaping Concepts, History, and Civilization.” In his opening remarks, he expressed profound gratitude to the organizers for convening this crucial event, particularly at a time when faith faces significant challenges, and



on international religious and intellectual leaders to unite in addressing atheism and nihilism, emphasizing the essential differences between religious faith and atheistic ideologies. The statement highlighted the importance of collaborative efforts to counteract nihilistic and atheistic thought and to uphold the centrality of faith in navigating modern challenges.



Advisor to the Government for Religious Affairs of Bangladesh Visits IIFA

H.E. Prof. Koutoub Moustapha Sano, Secretary General of the International Islamic Fiqh Academy (IIFA), welcomed a high-level delegation from the People's Republic of Bangladesh led by H.E. Dr. Khalid Hussain, Advisor to the Ministry of Religious Affairs in Bangladesh. The meeting took place on Monday, 30 Rabi al-Awwal 1446 (07 October 2024) at the Academy's headquarters in Jeddah. H.E. Prof. Sano warmly received the delegation, expressing gratitude for their visit and acknowledging the steadfast support of the Republic of Bangladesh to the Academy since its establishment. He provided an overview of the Academy's vision, mission,



and objectives, emphasizing its readiness to enhance cooperation with the Ministry of Religious Affairs in Bangladesh. He also proposed signing a memorandum of cooperation to formalize joint efforts on matters of mutual concern to the Muslim Ummah. In response, H.E. Dr. Khalid Hussain thanked the Secretary General for the kind reception and conveyed his pleasure in visiting the esteemed institution, which he described as the leading fiqh authority for the Muslim world. He commended the Academy's significant contributions to serving Islam and Muslims, particularly in clarifying Sharia

rulings on contemporary issues. He stated: "We are delighted to meet with Your Excellency and look forward to strengthening collaboration between the Academy and Bangladesh's scientific institutions to promote the true image of Islam." The meeting was attended by Mr. Mohammed Mondher Chouk, Director of Cabinet, Protocol, and Legal Affairs; Mr. Mohammad Walid Al-Idrissi, Director of Media and Public Relations; and Dr. Alhagi Manta Drammeh, Head of International Cooperation and External Relations and Mr. Hussein Blayet, Protocol Officer.



Secretary General of IIFA Visits ICESCO Headquarters

As part of efforts to strengthen collaboration with the organs of the Organization of Islamic Cooperation (OIC), H.E. Prof. Koutoub Moustapha Sano, Secretary General of the International Islamic Fiqh Academy (IIFA), visited the headquarters of the Islamic Educational, Scientific and Cultural Organization (ICESCO) in Rabat on Wednesday, 13 Rabi al-Akhir 1446 (16 October 2024). H.E. Prof. Sano was warmly received by H.E. Dr. Salem bin Mohammed Al-Malik, Director General of ICESCO, who expressed appreciation for the visit and commended IIFA's commitment to fostering strong ties



with OIC institutions. He thanked IIFA for appointing the Director General of ICESCO as a designated member of its Council, a move that highlights ICESCO's vital role in educational, intellectual, and cultural fields. Dr. Al-Malik emphasized ICESCO's ongoing contributions to presenting the true and civilized image of Islam through various initiatives that promote intercultural dialogue and understanding. In response, H.E. Prof. Sano conveyed his heartfelt gratitude for the warm reception and praised ICESCO's commendable efforts and the invaluable support from OIC member states. He

renewed IIFA's invitation for Dr. Al-Malik to participate in the 26th session of IIFA, scheduled to be hosted in Doha, Qatar, early next year, In Sha Allah. The discussions during the visit focused on strengthening bilateral relations and exploring areas of mutual interest to advance their shared objectives. The IIFA delegation accompanying H.E. Prof. Sano included Mr. Mohammed Adnan Al-Fihri, Director of Administrative and Financial Affairs; Mrs. Sarah Amjad Hussein, Director of Family, Women, and Children Affairs; and Mr. Saad Al-Samar, Head of Media and IT Division.



Secretary General of IIFA Meets Director General of MOFA in Jeddah



A delegation led by H.E. Prof. Koutoub Moustapha Sano, Secretary General of the International Islamic Fiqh Academy (IIFA), visited the Makkah branch of the Ministry of Foreign Affairs (MOFA) on Thursday, 28 Rabi al-Akhir 1445 (31 October 2024), in



Jeddah. The delegation was warmly received by H.E. Dr. Farid bin Ali Al-Shehri, MOFA's Director General in the Makkah region, who expressed gratitude for the visit and praised the close cooperation between the Academy and institutions of Saudi Arabia. He lauded the Kingdom's wise leadership for their continuous support and facilitation of activities and programs for IIFA and other OIC organizations.

H.E. Prof. Sano congratulated Dr. Al-Shehri on his appointment as the new Director General and extended his appreciation for the significant efforts of his predecessor, Mr. Mazen Al-Hamli. Prof. Sano also provided an overview of the Academy's vision, mission, and key activities, emphasizing the Kingdom's pivotal role in the Academy's establishment over four decades ago. He highlighted that the Academy was created to serve as a global scientific reference, uniting scholars, jurists, and thinkers from across the Muslim world to address contemporary issues and provide solutions rooted in Islamic heritage and open to modern intellectual advancements.



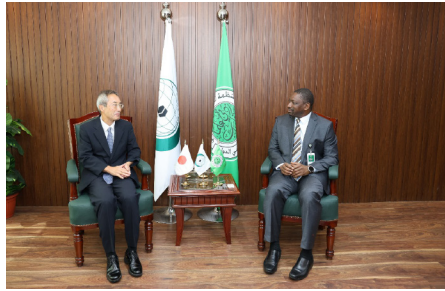
expressed profound gratitude to the Custodian of the Two Holy Mosques, King Salman bin Abdulaziz Al Saud, and HRH Crown Prince Mohammed bin Salman bin Abdulaziz Al Saud, Prime Minister of Saudi Arabia, for their unwavering and unparalleled support of IIFA since its inception. He acknowledged their sponsorship of a secure, fully equipped headquarters for the Academy in Jeddah's city center. In his concluding remarks, he prayed for continued blessings of security, stability, and prosperity for the leadership and people of Saudi Arabia. The meeting concluded with the signing of a renewed rental agreement for the Academy's building between the Secretary General, Dr. Al-Shehri, and the building owner's representative. The IIFA delegation



accompanying H.E. Prof. Sano included Mr. Mohammed Mondher Chouk, Director of Cabinet and Protocol; Mr. Mohammed Adnan Ishmao Al-Fihri, Director of Administrative and Financial Affairs; Mr. Mohammed Walid Al-Idrissi, Director of Media and Public Relations; Mrs. Sarah bint Amjad Bedewi, Director of Family, Women, Childhood, and Youth Affairs; and Mr. Amjad Al-Mansi, Head of Protocols.

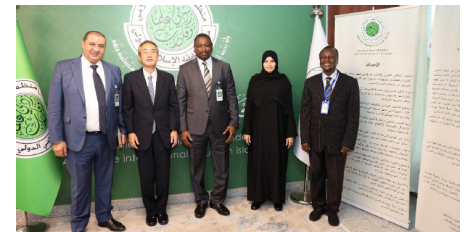
Japanese Envoy to OIC Visits the Academy

H.E. Mr. Yamamoto Daisuke, Japan's Consul General and Special Envoy to the Organization of Islamic Cooperation (OIC), visited the International Islamic Fiqh Academy (IIFA) headquarters in Jeddah on Monday, 30 Rabi al-Awal 1446 (7 October 2024). He was received by H.E. Prof. Koutoub Moustapha Sano, Secretary General of the Academy. During the visit, Mr. Yamamoto expressed his gratitude to the Secretary General and emphasized that the visit reflected Japan's commitment to strengthening coordination and collaboration with the OIC and its affiliated organizations, particularly the IIFA, regarded as the foremost religious



authority for OIC member states and Muslim communities worldwide. He further conveyed his country's deep appreciation for the Academy's moderate and balanced approach, which promotes religious tolerance and coexistence. He affirmed that Japan looks forward to deepening its cooperation with the Academy in organizing scientific events both within Japan and internationally to advance these noble humanitarian goals. In response, the Secretary General thanked the Japanese envoy and extended his congratulations on his appointment as Consul General and Special Envoy to the OIC, wishing him great success in his

new role. Prof. Sano provided an overview of the Academy's history, mission, and objectives, highlighting the Academy's role as a pioneering fiqh authority for the OIC in clarifying Sharia perspectives on issues impacting both member states and global Muslim communities. He also stressed the Academy's commitment to supporting initiatives aimed at ending the violence and suffering in occupied Palestine, particularly in Gaza. The meeting was attended by Mr. Mohamed Mondher Chouk, Director of Cabinet, Protocols and Legal Affairs; Ms. Sarah Amjad Bedewi, Director of Family, Women, Children, and Elderly Affairs; and Dr. Alhagi Manta Drammeh, Head of International Cooperation and External Relations.



Head of US Department of State's Peace and Security Division Visits the Academy



H.E. Prof. Koutoub Moustapha Sano, Secretary General of the Academy, hosted Mr. Oliver Wilcox, Head of the Peace and Security Strategy Division at the U.S. Department of State, on Monday, 25 Rabi Al-Akhir 1446 (28 October 2024), at the Academy's headquarters in Jeddah. Mr. Wilcox expressed his gratitude for the warm welcome and emphasized that his visit was part of his efforts to strengthen

cooperation with the OIC and its affiliated organs, particularly the IIFA, which is regarded as the foremost religious authority for OIC member states and Muslim communities worldwide. He also praised the Academy's exemplary intellectual and scientific initiatives in promoting the culture of moderation, tolerance, and coexistence across the globe. The Secretary General thanked Mr. Wilcox for the visit,

which demonstrated his respect for the Academy and his genuine desire to enhance cooperation between the OIC and the U.S. He expressed openness to potential partnerships with American institutions and centers dedicated to upholding religious freedom, promoting moderation, rejecting extremism, combating terrorism, and fostering constructive dialogue among diverse religious communities to ensure global security, safety, and coexistence. The meeting was attended by Ms. Sarah Amjad Bedewi, Director of Family, Women, Children, and Youth Affairs, and Dr. Alhagi Manta Drammeh, Head of the International Cooperation and External Relations Division.



Delegation of Young Kuwaiti Diplomats Visits the Academy



On Wednesday, 06 Rabi Al-Akhir 1446 (09 October 2024), a delegation of young Kuwaiti diplomats visited the International Islamic Fiqh Academy in Jeddah, led by H.E. Mr. Turki Melfi Al-Daihani, Counsellor at the Permanent Delegation of Kuwait to the Organization of Islamic Cooperation. The delegation was warmly received by Mrs. Sarah bint Amjad Bedewi, Director of the Department of Family, Women, Children, and Youth, and Mr. Saad Al-

Samar, Head of the Media Department at the Academy. The Counsellor expressed his appreciation for the hospitality and warm reception, noting, "It was a pleasure for my colleagues and me to participate in the first joint training program between Kuwait's Ministry of Foreign Affairs and the Secretariat General, which took place from 8-10 October 2024. During this session, we were especially grateful for our visit to IIFA, and we look forward to more success, progress, and achievements."

Mrs. Sarah Bedewi warmly welcomed the guests on behalf of the Academy and conveyed the greetings of the Secretary General of the Academy, H.E. Prof. Koutoub Moustapha Sano. She provided the delegation with a brief introduction

to the Academy's vision, objectives, and mission, emphasizing the Academy's role as the leading religious reference for OIC Member States in clarifying Shariah rulings on issues affecting Muslims both within the Member States and in Muslim communities worldwide. The visit concluded with a meeting with H.E. Prof. Koutoub Moustapha Sano, Secretary General of the Academy, who welcomed the young diplomats and affirmed the significant role they play in driving local and international development. His Excellency praised the Permanent Delegation of Kuwait's initiative in cooperation with the OIC to familiarize youth with the various OIC organs and expressed the Academy's eagerness to contribute to such initiatives. He also thanked the State of Kuwait for its ongoing support of the Academy since its establishment.



45th Monthly Meeting of the Academy's Personnel



On Sunday, 26 Rabi Al-Awal 1446 (29 September 2024), H.E. Prof. Koutoub Moustapha Sano, Secretary General of the Academy, chaired the 45th regular monthly meeting for the Academy's staff. His Excellency opened the meeting by extending his gratitude to all participants for their collaborative efforts in organizing the medical fiqh symposium on cultured

meat, which took place on 21-22 Rabi Al-Awal 1446 (24-25 September 2024) in Jeddah. The event, co-hosted with the Saudi Food and Drug Authority, featured in-depth discussions among specialists in food, meat, and other relevant fields, alongside the Academy's members and experts. Regarding preparations for the upcoming session, His Excellency informed the staff that the session had been postponed at the request of the State of Qatar. Following this, the floor was opened for staff to provide their opinions and feedback on the Academy's progress. After considering the suggestions,

the following decisions were made:

- Drafting the recommendations from the Cultured Meat Symposium and sharing them with participants for review.
- Finalizing the review of papers submitted for the next session, including names and academic titles.
- Preparing thank-you letters for the head of the Saudi Food and Drug Authority and the Director General of the Ministry of Foreign Affairs (MOFA).
- Preparing and sending notices regarding the postponement of the 26th session to a later date.

132nd Weekly Departmental Meeting

On Tuesday, 26 Rabi Al-Akhir 1446 (29 October 2024), H.E. Prof. Koutoub Moustapha Sano, Secretary General of the Academy, chaired the 132nd weekly departmental meeting at the Academy's headquarters in Jeddah. His Excellency opened the meeting by welcoming the attendees and sharing insights from his participation in the international conference titled "Faith in a Changing World," organized by the Muhammadiyah League of Scholars in collaboration with the Muslim World League, under the patronage of His Majesty King Mohammed VI of Morocco. He highlighted the release of the Rabat Document, which serves as a critical statement from global religious and intellectual leaders

on addressing the challenges of atheism and advocating for unified efforts against nihilistic ideologies. Additionally, he spoke about his visit to H.E. Dr. Salim bin Mohammed Al-Malik, Director General of the Islamic World Educational, Scientific, and Cultural Organization (ICESCO). The meeting then reviewed prior decisions and adopted new resolutions, including:

- Sending thank-you letters to the Secretaries General of the Muslim World League, Muhammadiyah League of Scholars, and the Director General of ICESCO, expressing appreciation for the successful conference and their hospitality.



- Finalizing the draft recommendations from the Cultured Meat Symposium, based on the themes set by the Secretariat General and the summaries of research findings.
- Enhancing the OIC Statement on Women in Islam by organizing a workshop or scientific symposium to explore its principles further.

61st Periodic Meeting of Division Heads

On Thursday, 30th Rabi Al-Awal 1446 (3 October 2024), H.E. Prof. Koutoub Moustapha Sano, Secretary General of the Academy, chaired the 61st periodic meeting of the division heads at the Academy's headquarters in Jeddah. His Excellency welcomed the division heads and emphasized the importance of regularly monitoring preparations for the 26th session. He stressed the need to complete all preparations in a timely manner, particularly those related to printing, research presentations, and communication



with participants. During the meeting, several key decisions were made, including:

- Submitting all Memoranda of

Cooperation (MoCs) and Memoranda of Understanding (MoUs) to the Media and IT Department for printing.

- Uploading all IIFA videos to the YouTube channel and social media platforms.
- Initiating communication with the OIC Youth Forum in Turkey to explore the possibility of holding a joint symposium.
- Creating a link to the photo gallery from the Cultured Meat Symposium to share with the event participants.

A Brief Introduction to the Resolutions and Recommendations of the Academy

For four decades, the Council of the International Islamic Fiqh Academy has from time to time issued clear, effective, and compelling Sharia-based resolutions in response to the issues and developments that continue to affect contemporary life and preoccupy Muslims in the East and the

West. The number of resolutions issued by the Council of the Academy has reached two hundred and fifty-five (255) resolutions on intellectual, educational, social, economic, and halal issues. Thanks to Allah, these resolutions have become the scientific reference to which many countries turn,

societies take refuge, and many peoples prefer to follow. They have also evolved into fatwas that serve as the foundation for current Islamic financial applications and industries. Many Sharia courts, health organizations, and scientific educational institutions around the world adhere to them, and they have become solid scientific foundations and Sharia standards approved and recognized by the scholars, experts, and intellectuals of the Ummah. The Secretariat General of the Academy has chosen to devote the last few pages of its monthly bulletin to publishing them consecutively in order to present their sober contents and to remind of their utmost importance, while praying to Almighty Allah to reward the honorable scholars and experts who participated in their formulation and publication in a manner beneficial to





Resolutions and Recommendations of the 13th Session of the Council of the International Islamic Fiqh Academy Kuwait City - State of Kuwait 7-12 Shawwl 1422 / 22-27 December 2001

In the name of Allah,
The Entirely Merciful, The Especially
Merciful

Praise is due to Allah, Lord of the worlds,
may the blessings and peace be upon our
master Muhammad, the seal of Prophets,
on his family and all his companions.

Resolution No. 119 (1/13) Investment of Awqāf and their Revenues

The Council of the International Islamic Fiqh Academy of the Organization of the Islamic Conference, holding its 13th session in Kuwait City, State of Kuwait, on 7-12 Shawwāl 1422h (22-27 December 2001),

Having examined the research papers submitted to the Academy concerning the Investment of Awqāf and their Revenues, presented in the 12th and present session, Having considered the Academy resolution on Waqf at its fourth session,

Having listened to the discussions of the Academy's members and experts on the subject,

Resolves

Postponement of issuance of a resolution on the Investment of Awqāf Properties and Revenues to a forthcoming session, for further deliberations and for conducting more research and study on the subject.

Indeed, Allāh is the Giver of Success.

Resolution No. 120 (2/13) Zakāh on Agriculture

The Council of the International Islamic Fiqh Academy of the Organization of the Islamic Conference, holding its 13th session in Kuwait City, State of Kuwait, on 7-12 Shawwāl 1422h (22-27 December 2001),

Having examined the research papers submitted to the Academy concerning Zakat on Agriculture,

Having listened to the discussions of the Academy's members and experts on the subject,

Resolves

First: Expenses relating to irrigation of the plants should not be deducted from the Zakāh-liable assets because Shariah has already taken them into consideration when fixing the payable Zakāh amount.²⁴

Second: Expenses of land reclamation/preparation, digging irrigation canals, and soil transfer should not be deducted from the Zakāh-liable assets.

Third: Expenses for purchasing seeds, fertilizers and pesticides to protect the crops against agricultural diseases and their likes, should not be deducted from the Zakāh-liable assets, if the Zakāh payer has paid them out of his own funds. If the Zakāh payer, for lack of resources, had to borrow for paying such expenses, then whatever is borrowed for the crop is deductible from his Zakāh-liable assets. This ruling is based on what has been reported from some of the Companions, including Ibn 'Umar and Ibn 'Abbās RA that the farmer deducts what he borrowed (for spending) on the fruits then he pays Zakāh on the remaining balance. Fourth: Expenses for delivering the Zakāh amount to its deserving recipients is deductible from it.

Indeed, Allāh is All-Knowing.

- e. rate for Zakāh in agriculture is 10% of the crop when plants have been irrigated by natural rain or rivers. This rate is 5% when plants are watered by means requiring extra expenses.

Resolution No. 121 (3/13) Zakāh on Shares Owned to Earn their Income

The Council of the International Islamic Fiqh Academy of the Organization of the Islamic Conference, holding its 13th session in Kuwait City, State of Kuwait, on 7-12 Shawwāl 1422h (22-27 December 2001),

Having examined the research papers submitted to the Academy concerning Zakat on Shares Owned to Earn their Income, Having listened to the discussions of the Academy's members and experts on the subject,

Having considered the Academy resolution no. 28 (3/4) concerning Zakāh on Company Shares, which states in its paragraph (3) as follows:

If the company, for any reason did not pay Zakāh on its wealth it becomes obligatory on shareholders to pay Zakāh on their respective shares. Therefore, if the shareholder is able to know, from the accounts of the company, the exact amount of Zakāh due on his shares had the company paid the due Zakāh; he should pay that amount, as this is the normal original way for determining the Zakāh due amount.

If, however, the shareholder is unable to know that amount and his intention of retaining the shares is to benefit from their annual return, not for the sake of trading them he should apply the rules of Zakāh on returns. The owner of such shares is not required to pay Zakāh on the assets of shares, but only on the returns, which is at a rate of ¼ of 1/10 after the elapse of one (lunar) year from the date of the actual reception of the dividends, provided that all other conditions are met and no impediment exists.²⁵

Resolves

If the Zakāh non-paying company owns Zakāh-liable properties such as cash balances, goods for trade, and debts owed by solvent debtors; and the shareholder fails to know from the company's accounts the exact portion of the Zakāh-liable properties that correspond to his own shares; he should make the maximum possible investigations and then pay Zakāh for the portion of the Zakāh-liable

- Resolution 120 (3/13) concerning Zakāh on Shares and their dividends. properties that correspond to his shares. This arrangement holds true if the company is not facing large deficits where their debts exhaust all its assets.

However, if the company has no properties liable to Zakāh, the resolution no. 28 (3/4) applies to its shares so that: "the shareholder should pay Zakāh on the income only and not on the principal of the shares."

Indeed, Allāh is All-Knowing.

Resolution No. 122 (4/13) Diminishing Mushārakah in light of Contemporary Contracts

The Council of the International Islamic Fiqh Academy of the Organization of the Islamic Conference, holding its 13th session in Kuwait City, State of Kuwait, on 7–12 Shawwāl 1422h (22–27 December 2001),

Having examined the research papers submitted to the Academy concerning Diminishing Mushārakah in light of Contemporary Contracts,

Having listened to the discussions of the Academy's members and experts on the subject,

Resolves

Postponement of deliberations and issuance of a resolution on Diminishing Mushārakah in light of Contemporary Contracts to a forthcoming session, for conducting further research and study on the subject.

Indeed, Allāh is the Giver of Success.

Resolution No. 123 (5/13) Qirad or Joint Muḍārabah in Financial Institutions (Investment Accounts)

The Council of the International Islamic Fiqh Academy of the Organization of the Islamic Conference, holding its 13th session in Kuwait City, State of Kuwait, on 7–12 Shawwāl 1422h (22–27 December 2001),

Having examined the research papers submitted to the Academy concerning Qirad or Joint Muḍārabah in Financial Institutions (Investment Accounts),

Having listened to the discussions of the Academy's members and experts on the subject,

Resolves

First: Definition of Joint-Muḍārabah

Joint Muḍārabah is a Muḍārabah in which several investors entrust, together or successively, to a natural or legal person the task of investing their funds. The person thus entrusted (Muḍārib) is, in most cases, left free to undertake investments that he deems suitable for pursuing the parties' interest. His mandate may also be restricted to a particular area of investment. The process entails explicit or implicit permission (to the Muḍārib) by funds' owners to mix their funds together or with his own funds, and

sometimes the Muḍārib agrees that funds' owners may withdraw their funds, totally or partially, when they need, subject to certain conditions.

Second: Legitimacy of Joint-Muḍārabah

Joint Muḍārabah is based on what the Fuqāhā have decreed as to permissibility of having several funds owners and participation of the Muḍārib with them in (providing) capital and that such Muḍārabah is not outside the permissible forms of Muḍārabah as long as it adheres to the Shariah known standards of Muḍārabah while considering what is necessitated by the funds mixing so that it is kept within the limits of Shariah requirements.

Third: Parties of Muḍārabah

The investors, all, Arbāb al-Māl and the relation among them, including the Muḍārib when he mixes his funds with their funds, is fund-sharing. The party entrusted with investing their funds is the Muḍārib, whether he is a natural or legal person such as banks, and financial institutions, while the relation between him and the owners of the funds is Muḍārabah (Qirad) since he is entrusted with making the decisions on investment, management and organization. When the Muḍārib assigns a third party to invest, a second Muḍārabah then exists between the first Muḍārib and this third party, rather than an act of brokerage between this third party and the funds' owners (owners of the investment accounts).

Fourth: Mixing of Funds in Joint-Muḍārabah Nothing prevents the mixing of funds from different funds' owners with each other or with those of the Muḍārib since this is done by explicit or implicit mutual consent. Additionally, when the Muḍārabah and investment arrangement are undertaken by a legal person, there would be no fear that funds owners may be hurt as the respective shares of each of them in the capital is clearly specified while the funds mixing raises the financial capacity to expand activities and increase profits.

Fifth: Commitment to Muḍārabah in Specific Period

In principle, Muḍārabah is a contract that can be terminated by either of its two parties (non-Lāzim contract). However, there are two cases in which a Muḍārabah contract can not be dissolved, namely: (1) If the Muḍārib has already commenced his work, Muḍārabah, in this case, becomes binding till the time of actual or legal liquidation, and (2) When the owner of the funds (the Rabb al-Māl) or the Muḍārib undertakes not to dissolve the

contract within a specific period. In this case, he has to honor his pledge to not interrupt the investment process during that period.

Sixth: Setting Maturity Date for Muḍārabah

There is no Shariah restriction on setting a specific maturity date for Muḍārabah by mutual consent of the two parties so that Muḍārabah expires at maturity with no need for termination by any of the two parties. The effect of duration setting is confined to restrict entering into new transactions after the specified time limit without preventing liquidation of the ongoing transactions.

Seventh: Distribution of Profits using Numar Traditional Calculation Method in Joint-Muḍārabah

It is all right for profit (calculation and) distribution to use the numar traditional method, which is based on considering the principal of each investor and its period of stay in the investment (pool). This is because all the investors' funds have jointly contributed to realizing the earning according to their respective amounts and periods. Hence the entitlement of each of these funds to a share of the profit commensurate to its respective amount and period of stay is the fairest way of remunerating the investors.

This is so because the mere acceptance of partners to take part in mixed-funds or joint Muḍārabah indicates their implicit consent to forgive trivial inequities, which is difficult to account for; besides, the very nature of sharing accommodates a partner benefiting from the profits earned by the funds of his co-partner. This calculation method does not make any interruption in the (principle) sharing the profit, and it is well covered by the partners' consent of resulting proportionate shares.

Eighth: Forming a Voluntary Committee to Protect Rights of Funds' Owners (Shareholders Committee)

Since the investors (funds' owners) have rights on the Muḍārib to ensure that the declared investment conditions on whose basis they entered in the mixed-fund Muḍārabah, it is not restricted in Sharia to form a voluntary committee selected from among them to safeguard these rights and observe the implementation of the agreed-upon Muḍārabah conditions without interference in the Muḍārib's investment decisions except by offering non-binding advices.

Ninth: Investment Trustee

Investment trustee in this context refers to any bank or financial institution of a high

financial rating, experience and solvency, entrusted with receiving the funds and the documents that represent the assets so as to keep them in its custody and prevent the Muḍārib from disposing of them contrary to the Muḍārabah conditions. Such arrangement encounters no Shariah restriction, provided that it is mentioned in the articles of incorporation or the manual (of the institution and the Muḍārabah) so that investors will have full transparency and provided that the investment trustee would not interfere in the investment decisions. His involvement will remain confined to custodianship and verification of adherence to the Shariah and technical requirements of the investment.

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Tenth: Specification of a Hurdle Rate of Profit and a Muḍārib Incentive

It is permissible in Shariah to set up a rate of expected profit and stipulate that if realized profit exceeds that rate, the Muḍārib shall be entitled to a specific share of this increment. This is to be done after specifying (in the contract) each party's share in the profit regardless of its amount.

Eleventh: Identification of the Muḍārib in case Muḍārabah is administered by a Legal Person (Bank or Financial Institution)

When a legal person, such as banks and financial institutions, manages the Muḍārabah that legal person is the Muḍārib, regardless of any change that might take place in the general assembly, board of directors, or the executive management. The relationship between the owners of the funds and the Muḍārib will not be affected by such changes as long as they conform with the declared governing rules on whose basis the mixed-fund Muḍārabah is accepted (by investors). Also, the Muḍārabah should not be affected by the merger between the legal person who manages it and another legal person. However, if one branch of the institution that manages the Muḍārabah becomes independent and obtains its own legal personality, the funds' owners will have the right to exit from the Muḍārabah, even if the contract period has not yet expired.

Since the institution manages the Muḍārabah through its employees and workers, it should bear their expenses and all other indirect expenses because such expenses are supposed to be covered from the profit share earmarked for the Muḍārib. The Muḍārabah should not bear anything other than direct expenses that belong to it. The same applies to the expenses

of tasks that are not required to be done by the Muḍārib, such as help it solicits outside the Muḍārib's staff.

Twelfth: Guarantee in Muḍārabah and Shariah Ruling regarding the Muḍārib's Guarantee

The Muḍārib is a trustee, and therefore he should not guarantee any loss or damage unless such loss or damage is due to misconduct or negligence, which include violation of Shariah requirements or the terms and conditions of the investment contract, which are the basis of entering into the Muḍārabah.

This ruling holds true for the individual as well as mixed-funds Muḍārabah and does not change under a claim that it is similar to common Ijārah, or by stipulating and pledging such a guarantee in the contract. On the other hand, provision of a guarantee by a third party is permissible, in accordance with the Academy resolution no. 30 (4/5) paragraph (9).

Indeed, Allāh is All-Knowing.

Resolution No. 124 (6/13) Medical Insurance and Medical Cards

The Council of the International Islamic Fiqh Academy of the Organization of the Islamic Conference, holding its 13th session in Kuwait City, State of Kuwait, on 7–12 Shawwāl 1422h (22–27 December 2001),

Having examined the research papers submitted to the Academy concerning Medical Insurance and Medical Cards, Having listened to the discussions of the Academy's members and experts on the subject,
Resolves

Postponement of deliberations and issuance of a resolution on Medical Insurance and Medical Cards to a forthcoming session, for conducting further research and study on the subject.

Indeed, Allāh is the Giver of Success.

Resolution No. 125 (7/13) Incidents in Palestine and Other Events

The Council of the International Islamic Fiqh Academy of the Organization of the Islamic Conference, holding its 13th session in Kuwait

City, State of Kuwait, on 7–12 Shawwāl 1422h (22–27 December 2001),

Observing the realities and the Ummah, and the tendencies of enmity and aggression against Islam and Muslims, with the aim of:

- Distorting the image of Islam through degrading the Muslims' faith and raising doubts about the rulings of the
- Desecrating the sanctities of Muslims, occupying their territories, shedding their blood, seizing the wealth of their countries and damaging their economies,

It is incumbent upon the Academy's scholars to shoulder their sacred responsibility of clarifying to Muslims the Shariah rulings that relate to their affairs. They should not keep the word of truth they come to know and ought to disclose because Allāh The Almighty has taken a pledge from those who are knowledgeable not to conceal their knowledge and threatened anyone who attempts to do so by saying, «Ah! who is more unjust than those who conceal the testimony they have from Allāh? But Allāh is not unmindful of what ye do...» (al-Baqarah, 140). The ancient Israelite scholars were duly cursed and excluded from the Grace of Allāh because of concealing what they had been taught. In this regard, Allāh The Almighty says, «Those who conceal the clear (signs) We have sent down, and the guidance after We have made it clear for the people in the Book, on them shall be Allāh's curse, and the curse of those entitled to curse...» (al-Baqarah, 159). The ruling in this verse is stated in general terms so as to include everyone who conceals knowledge that he should disclose. The Prophet SAW said, «Anyone who acquires knowledge and conceals it shall come in the Day of Hereafter with a bridle of fire.» (Narrated by Ibn Mājah).

Considering that such a declaration should not be delayed when it is time to be declared or need arises since among the most pressing issues of the Ummah that need clarification is the Palestine issue and other similar events in some Muslim countries,
Resolves

First: The land of Palestine is the land of Al-Aqṣā Mosque – the first of the two Qiblas and the third Holy Mosque of Islam – which Muslims are encouraged to visit for prayers. This land from which the Prophet Muhammad, started his Midnight journey to Skies (Isrā' wa Mi'rāj), the Prophets' cradle, belongs rightly to Muslims.

This right of ownership makes it incumbent upon every Muslim to provide the form of support he affords to the cause of protecting this right despite the efforts that deceivers may exert to provoke regressions and tendencies of surrendering. Justice will always prevail for those who have the lawful rights, and against those who serve and support the cause of oppression.

The Fuqahā (Fiqh scholars) of the Ummah have

unanimously declared non-permissibility of acknowledging the stay of an extorting enemy in any part of the Muslims' territories that he seizes because doing so amounts to encouraging the extorters to continue their trespassing and aggression. In Islam, it is the duty of those who face such aggression to fight their oppressors till they drive them with humiliation out of their lands.

Second: It is, therefore, the duty of the governments and people in the Muslim countries to exert efforts to get back the extorted Muslim land of Palestine to its rightful people and preserve Al-Aqṣā Mosque from being desecrated by the occupying Jews, who have continued to show nothing but hatred and hostility towards Islam and Muslims since the early days of the Islamic religion and they still create animosity for them and have become now more powerful and more arrogant.

Third: It is mandatory upon all Muslims to spare no effort in funding and in persons, according to their individual means, in providing moral and material support to the Palestinian people so that they can defend their land, preserve their Holy Places, and resist the Zionist arrogance which has been shedding blood, killing innocent people, including women and children, wrecking houses, and use their most lethal war arsenal, such as missiles, heavy tanks, military helicopters and planes, in addition to the economic war they launch against the Palestinians by dredging agricultural lands uprooting trees and plantations and preventing delivery of food supplies to the blockaded Palestinian territories. Supporting the Palestinian people is the duty of Ummah as a whole, including governments of the Muslim countries and Muslim people. Muslims are one hand in supporting each other and facing their enemy, just like the building

blocks of a solid wall, which support one another. Fourth: The governments of Muslim countries must also exert every effort, through international organizations and all other political and economic forums,

to stop the influx of political and military help, which the enemy receives from external sources.

Fifth: The Palestinian people have every right to establish their independent state that comprises all their lands, including Al-Quds as its capital city. They have the right to defend themselves against the enemy using all lawful means of resistance. It is, in fact, a great honor and an incommensurable gain for a Muslim to die as a martyr in serving the cause of Allāh The Almighty.

Recommendations of the Academy

to the Ummah as Governments and Peoples

First: Commitment to Islamic Faith and Shariah
The underlying cause of the internal and external hardships, crises, and wars that the Ummah is facing nowadays is the lack of observance of the Islamic faith and the Shariah, which constitute

the quintessence of the Message and of guidance from Allāh The Almighty who says, «But whosoever turns away from my message, verily for him is a life narrowed down» (Tāhā, 124). A long period of non-observance of the Shariah results in widening the gap between governments and their people and increasing tendencies towards faulty interpretations and individual and group deviations of thoughts and behaviours.

The Academy reiterates the recommendation adopted in its 7th session which calls upon the governments of the Muslim countries to defend and strengthen the cause of the Islamic faith, pave the way for empowering it in its pure form, and warn against any act that could lead to its violation, or raise doubts about its sources, or endanger the overall Muslims' unity and plant divisions and conflicts among them.

The Academy also reiterates its call to the governments of the Muslim countries to "pursue the application of the Shariah, and use it as a guide for developing policy frameworks of their internal and external political relations."

Second: Supporting Muslims

Muslims anywhere are one nation, united by their faith in the Oneness of Allāh and by the Shariah and one direction in prayers. As the Prophet SAW said, "... they are like a single body when a part of it aches, the whole body feels pain." Therefore, it is the duty of every Muslim to support other Muslims, wherever they are, when they face aggression, seizure of land, or any other type of calamity. In this regard, Allāh The Almighty said, «The believers, men and women, are protectors, one of another: they enjoin what is just, and forbid what is evil.» (Al-Tawbah, 71). The Prophet SAW also said, "A Muslim is the brother of the other Muslim, he neither oppresses him nor does he hand him over (to the enemy), and when

a Muslim attends to the need of his (Muslim) brother he will get his own need attended to by Allāh, and when he dispels the agony of his (Muslim) brother Allāh will dispel one of the agonies of the Day of Resurrection for him." (Ṣaḥīḥ Muslim, 1830).

Support could be personal, financial, moral, or political, depending on ability, surrounding situation, and changing circumstances.

Furthermore, the Academy reiterates the recommendation of its 7th Session in which it "urged the Arab and Muslim countries to support Muslims who are facing persecution in the various parts of the globe and to use all possible means to defend their causes and ward off the assault they are suffering."

Third: Prohibition of Aggression in Islam

Islam strictly prohibits unjustified aggression, such as terrifying safe and innocent people and those whose blood is protected. Any aggression of this type amounts to prohibited terrorism.

Preparation of means of strength for frightening

the enemy is a Shariah requirement as has been indicted by Allāh The Almighty Who said, «Against them make ready your strength to the utmost of your power, including steeds of war, to strike terror into (the hearts of) the enemies of Allāh and your enemies, and others besides, whom ye may not know.» (Al-Anfāl, 60)

There is no doubt that a person who resists, with all his means and strength, those who have extorted his land and occupied his country, is discharging a lawful duty. This is precisely the situation of the Palestinian people when they resist the occupying Zionists who seized their lands and violated all their rights. It is regrettable to note that some great powers use double standards when dealing with the Palestinian issue. They consider the lawful owner of the land who defends his life and property as a terrorist, whereas the aggressive invader who violates all human rights and values and uses the most powerful weapons of destruction to shed blood and stands against all international laws and traditions, as an underdog self-defender.

It is one of the bitterest forms of oppression and terrorism to go on associating Islam with terrorism. In contrast, in reality, it is the religion of justness and moderation, or to keep fighting many missionary and charity organizations and Islamic financial institutions in the name of fighting terrorism, without the slightest proof against such institutions.

Fourth: Islamic Ethics

Today's world is in dire need of the Islamic ethics of peace and war in order to enjoy the predominance of justice that underlies the existence of earth and skies and discard oppression, arrogance and depravity that prevail over today's

world. In fact, the underlying reason for rebellions and afflictions is the division of the world into classes, and the state of monopoly that rich countries assume on power and wealth, and on knowledge which Allāh The Almighty has celebrated in His Holy Books and sent his messengers to promote among all mankind so that they can maintain right and justice. Allāh The Almighty said, «We sent our apostles with clear signs and sent down with them the Book and the Balance (of right and wrong) that men may stand forth in justice.» (Al-Ḥadid, 25).

Fifth: Closing Remarks

The Academy expresses its appreciation for the comprehensive and important speech of H.E. the Secretary General of the Organization of the Islamic Conference delivered on his behalf by the Assistant Secretary General for Political Affairs and Muslim Minorities, in which he said:

Your respectful session is being held in very critical and sensitive circumstances, in which the challenge to our existence has escalated to an unprecedented level. The aggression facing us today is a threat that endangers our fate and

surrounds us with a host of gloomy realities, and therefore should make the whole of us, governments and people, stand in one line, with the firm will of defending our sacred places and our religious and cultural heritage.

You can easily see the boastfulness and blustering of the Zionist enemy and the gravity of its crazy impulse of aggression. This enemy pushes the whole region to the edge of a destructive explosion by continuing its genocidal war against the brave Palestinian people, depending in all its egoistic arrogance on the unconditional blind military, economic, and political support that comes to it from external sources.

In addition to Palestine, a fierce war with foggy objectives has also broken out in the Islamic land of Afghanistan to exacerbate the suffering of the aged, children and women who have no offence to be punished for.

Therefore, preservation of the Islamic identity against the external factors stemming from international political developments falls right in the heart of your specialized intellectual work, which has a pivotal role in the formation of public opinion, consolidation of thinking, and deepening of the sense of belonging to the genuine Islamic civilization which can never be rooted out no matter how violent the aggression may be.

That is because the provision of ideological and intellectual guidance to men and women is a central issue that supersedes all other issues due to its close link with the fate of the Ummah. Provision of such guidance deserves to have the due consideration and to be expressed in the form of earnest and productive efforts for laying down the civilization fundamentals of the Muslims' renaissance.

Indeed, Allāh is the Giver of Success.

Resolution No. 126 (8/13) Human Rights in Islam

The Council of the International Islamic Fiqh Academy of the Organization of the Islamic Conference, holding its 13th session in Kuwait City, State of Kuwait, on 7–12 Shawwāl 1422h (22–27 December 2001),

Believing that dignity has been bestowed upon human beings by Allāh The Almighty The Creator, to form the basis for rights and duties of human beings. Along with dignity, Allāh The Almighty has imposed some duties that human beings should observe towards their Lord, their

own self, their fellow human beings, and their surrounding environment.

A deep, comprehensive, and impartial look into the Shariah is reasonably sufficient to ascertain its suitability to human society and consistency with human nature, as well as to the nature of the whole universe. This is why Islam is known as "The Natural Religion." This has been indicated by Allāh The Almighty by saying, «So set your face steadily and truly to the Faith, it is the nature from Allāh that He has given to mankind.» (Al-Rūm, 30)

Human Rights in Islam refer to privileges arising from the Divine honor bestowed by Allāh The Almighty on human beings and compelled everybody to respect and observe as outlined in Shariah criteria and conditions.

Believing in the unanimous stand of the Ummah that Shariah is suitable for all places and times, and in the right of nations to maintain their distinctive cultural and religious characteristics, and in their right to choose their rules and legislative systems, the Academy confirms what is stated in the Cairo Statement on Human Rights in Islam, issued by the foreign ministers of the Muslim countries, on 14 Muḥarram 1411h (5 August 1999), and the recommendations of the Seminar on Human Rights, held by the International Fiqh Academy in Jeddah, on 8–10 Muḥarram 1417h (25–27 May 1996).

The Muslim peoples, by their own unequivocal will, have committed themselves to the Islamic systems and laws of personal affairs, woman affairs, family relations, and so many other social and economic matters, which go along with the Universal Declaration of Human Rights issued in 1948 by the United Nations General Assembly in several aspects especially the general content and objectives while it differs in some other aspects, especially with Islamic ethics and social system.

Considering that Shariah has decreed its rulings for the preservation and achievement of its ethical objectives of which the most important are issues related to the five fundamentals which ensure the fundamental human rights in regards to life (self), religion, property, mind, and honor (and posterity). Furthermore, in order to bar the way to any deviation, the Shariah – as all other legal systems anywhere and at any time would do – has set down preventive and restraining measures that would protect the society against violation of these five fundamental rights. Many international organizations and conferences have recognized the effectiveness of Islamic law in handling and curing many problems, which compel all rational people to consider it seriously.

Considering that Charter of the United Nations

provides for the right of every state to spread its sovereign authority within its geographical boundaries and prevent others from interfering in its internal affairs and that laws of sovereign countries supersede foreign laws and systems.

Resolves

First: It is incumbent upon the various organizations concerned with the issues of Human Rights, regardless of their charters and regulations, to refrain from interfering into those aspects of Muslims' life, which are governed by the Shariah. Such organizations have no right to impose upon Muslims regulations and values entirely different from their own or hold them accountable for not observing rules that they do not adopt. The Academy confirms that the internal legislations of sovereign states should not be subjected to foreign regulations and conventions.

Second: The Academy decided to establish a center for Human Rights reporting to it and commence necessary arrangements for that, including preparation of the statute of the center.

Recommendations

First: The Academy calls upon states and international and human rights organizations to respect the rights of Muslim minorities in the various parts of the world and treat them fairly, especially in these critical times, in order to maintain justice and observe the rights of all people.

Second: The Academy expresses its readiness to communicate with jurists, academic institutions, international organizations, official and non-official forums, and any other concerned bodies from anywhere, to sit together, explore and exchange views on appropriate ways and means for enhancing cooperation

and mutual understanding in areas of Human Rights, so as to maintain peace, justice, tolerance, prosperity and noble life for all, and ward off misbehaviour as shown by the preceding principles. Let our slogan be the holy words of Allāh The Almighty,

«Surely Allāh commands justice, the doing of good, and liberality to kith and kin, and He forbids shameful deeds and injustice and rebellion; He instructs you, that ye may receive admonition.» (Al-Nahl, 90), and what the Prophet SAW declared in his Farewell Pilgrimage to Makkah when he announced, "Indeed, your bloods, properties, and honor are inviolable among you, just like the inviolability of this day, this month, and this city."

Indeed, Allāh is the Giver of Success.

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