

# **THE NEWS OF THE ACADEMY IN A YEAR**

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## H.E. Sheikh Ibn Humaid praises the efforts of IIFA in clarifying the status of women in Islam for decades



H.E. Sheikh Dr. Saleh bin Abdullah bin Humaid, President of the Council of the International Islamic Fiqh Academy, delivered a speech at the opening session of the International Conference entitled Women in Islam: Status and Empowerment, hosted by the Kingdom of Saudi Arabia in cooperation with the General Secretariat of the Organization of Islamic Cooperation during the period from 22-24 Rabi' Al-Thani 1445H corresponding to 6-8 November 2023 in Jeddah. At the beginning of his speech, His Excellency welcomed the guests of the conference, saying: "The guests of the Kingdom of Saudi Arabia, the land of the Two Holy Mosques, you are welcome, to the vicinity of the Grand Mosque, which God has made as a reward and a sanctuary, and to which the fruits of everything are due, including the fruits of men and women, including you hopefully." He then stressed that "the true religion has established sound principles, solid rules and coherent systems for the establishment of a distinct human society whose members cooperate in righteousness and piety and whose members are integrated in building nations, advancing peoples, and advancing man, where men and women compete in good deeds, within a framework of tight control of rights and duties, and the solid formulation of areas of cooperation, integration and solidarity. His Excellency said: "Guided by the texts of the Holy Book and the Sunnah of the Prophet that are mentioned in women's issues, especially their legitimate rights to education, work, property, possession, guardianship, consultation, etc., and their intellectual, educational, social, economic and other duties, the honourable ancestors of the Companions, may God be pleased with them, the followers and their followers and the imams

of ijhtihad made their great effort in explaining the lofty status enjoyed by women in Islam in a satisfactory and sufficient statement, a report to honor them and protect them from humiliation, vulgarity and contempt. In this regard, he noted the importance of finding guidelines that preserve women's rights and dignity, saying: "In this blessed conference, we need insightful guidance that affirms women's right and their role in building and comprehensive development in society and affirms their right to education, work and appropriate employment. We need guidance that condemns and resists all forms of exploitation of women in any field that does not give weight to values and virtues that lead to the denigration of women, the humiliation of their dignity, the trafficking of their bodies and their honor, and guidance that prevents women from being thrown into the seas of loss, humiliation and deprivation, and we need guidance on women's rights coupled with their responsibilities in motherhood and family care... How beautiful it is to talk about the call of instinct that God instilled in people, the call of instinct that says: The man is looking for a woman who builds the house with her presence, or her work and manages her home, not the woman who goes out to work in fields that leave behind a house filled with emptiness and neglect, just as the woman is looking for the honorable man who stands by her side in the course of her life, a young woman, a happy woman, and a respectable lady, is her residence and she is his residence. His Excellency explained that efforts to clarify the status of women, especially their rights and duties in Islam, have not stopped throughout history, based on what this status and those rights and duties are exposed to from time to time, from usurpation, humiliation and abuse, whether from

outdated customs, traditions and customs, or from unjust and legislation and laws, and in an effort to contribute to correcting concepts contrary to the teaching of the right religion with regard to the status of women in Islam. Referring to the role of the International Islamic Fiqh Academy during the past four decades in explaining the lofty status and high status of women, and rejecting outdated customs that prevent women from carrying out their legitimate and civilized duties towards their religion, homeland, nation and the whole world, women's issues, rights and duties have been strongly attended in the Academy's sessions, and specialized jurisprudence seminars, and the Academy issued a large number of sober decisions on women, their rights and duties. At the end of his speech, His Excellency called on God Almighty to grant this conference success and to reward the Custodian of the Two Holy Mosques and his faithful Crown Prince, may God protect them, for the attention and care they give to Islam and Muslims, and to reward all those who have the credit for organizing this conference, in particular His Highness Prince Faisal bin Farhan bin Abdullah, Minister of Foreign Affairs, OIC Secretary-General and all participants in this conference.



## S.G. stressed that responsibilities in Islam are addressed to both men and women

At the kind invitation of the Ministry of Foreign Affairs of the Kingdom of Saudi Arabia and the Organization of Islamic Cooperation, His Excellency Prof. Dr. Koutoub Moustapha Sano, Secretary General of the Academy, delivered a speech at the international conference entitled "Women in Islam: Status and Empowerment", on Tuesday, 23 Rabi II 1445 AH corresponding to 7 November 2023 in Jeddah, Kingdom of Saudi Arabia. His Excellency began his speech at the first scientific session by saying: At the outset, I would like to express my thanks and appreciation to the Kingdom of Saudi Arabia, represented by its Ministry of Foreign Affairs, and to our organization, the Organization of Islamic Cooperation, for organizing this conference at this moment that our Islamic Ummah is going through. "It is a sensitive moment where day after day there is humiliation, contempt, and regression of the rights recognized by Islam for Muslim women, and for women in general." His Excellency then spoke about the status of women between texts and application, saying: "It is no secret to anyone that Islam is fair to both by giving them equal rights. However, despite the fact that Islam defines women's rights and duties in a detailed, and clear manner, the reader of our Islamic heritage, especially those books that talk about the rights and duties of women in Islam, finds that these books focus their talk about those rights and duties with great emphasis on a specific type of woman, it is that woman who cares about the home, and married and is the mother, and rarely talks about that woman who is not a mother, nor a wife, nor a nanny of children, which makes her view to rights and duties that are questionable and problematic. His Excellency then spoke about the importance of dealing with women's issues, especially their rights and duties, which Islam has decided and defined through four methodological foundations, the first: the comprehensiveness of the assignment for men and women, the second: taking into account the purposes of Sharia from the legal texts contained in regard to rights and duties in Islam, and the third basis is the balance between interests and evils when determining rights and duties. The fourth basis is to consider the consequences of the acts that result from rights and duties. His Excellency then explained what is meant by these



four methodological foundations, focusing on the first two of them. With regard to the first basis, His Excellency said: "The principle in the text of assignment is general and comprehensive, except what is allocated by Sharia with special evidence, and this letter requires that all the inalienable rights of men are also fixed for women, and it is not permissible to differentiate between these rights except by a correct, explicit and clear text directly from the Qur'an and Sunnah, as well as the duties imposed by Sharia on men, they are also obligatory for women except what has been excluded. As for the second basis, His Excellency explained that "... It is the necessity of taking into account the purposes of Sharia in the texts in which rights and duties are determined, and the most important of those purposes are three purposes, namely" the purpose of functional integration and is intended to integrate men and women to carry out together the task of succession to God on earth by building the universe, and achieving happiness in the two homes, and a report for this, many verses were mentioned in the Holy Qur'an to refer and alert to this functional integration, the Almighty said: (And the night if it clouds \* and the day if it manifests \* and what is the creation of the male and the female \* your endeavour is different ﴿The purpose of the diversity of endeavour and services is integration, cooperation and solidarity, just as night and day, sun and moon, sky and earth, and other couples of animals and inanimate objects are integrated...". His Excellency then spoke about the second purpose that must be invoked when considering the legal texts that define rights and duties, namely: "The purpose of justice and equality in reward and punishment, according to which equal rights and duties between men and women are equal, as they bear the consequences of acts of reward or punishment, for example: The penalties prescribed by Islam for the crime of theft do not differentiate between male and female.﴿ And the male thief and the female thief, cut off their hands as a reward for what they have earned from God and God is dear and wise.﴿ And the Almighty said in adultery ﴿The adulteress and the adulterer, so flog each of them a hundred lashes, and do not take them with mercy in the religion of God, and He also said: ﴿Whoever does a good deed, male or female, and he is a believer, let us give him a good life, and let us reward them with the best of what they were doing.﴿ Accordingly, the principle is equality in rights and duties, except rarely, and this purpose should be invoked when talking about women's rights and their duties, stating that they are the same as the inalienable rights of men and the same duties of men, and there is no difference between men and women in that. As for the third purpose that must be noted when considering the legal texts contained in rights and duties, it is the comprehensiveness of slavery and submission to God Almighty for both men and women, both of which are charged



with the same assignments in the field of faith, worship, transactions, marriage, and agreements. His Excellency then spoke about a number of important educational, cultural, social, economic and political rights recognized by Islam for women, such as the right to education, the right to work, the right to acquire and earn, the right to own property, the right to pledge allegiance, the right to run and be nominated, like inalienable rights of men, stressing that the aforementioned rights are proven by the same texts that prove the same rights as men. In the meantime, His Excellency explained the importance of resorting to the Book of Allah and the Sunnah of His Messenger (peace and blessings of Allah be upon him), as the eternal and binding sources to which reference must be made to ensure that a right or a duty has been reserved for men or women, if we do not find a text and there is no evidence, the original remains as it is, and the original remains as it was until evidence comes to prove otherwise." At the end of his speech, His Excellency pointed out the importance of referencing the texts of the Glorious Book and the Prophet's Sunnah in "customs", which prevent women from being empowered by their legitimate rights, and prevent them from carrying out their duties in the fields of thought, work, economy, society, politics and others. He added: "If we find a practice, custom, or behaviour that contradicts the rights established by the Sharia, and set of duties, then our noble initiation is clear on how to deal with those customs, practices and tradition." His Excellency concluded his speech by emphasizing the characteristics of Islamic law represented in flexibility, capacity, saying: "Our Sharia is the conclusion of the laws, and it is the conclusion of the messages and prophecies, and therefore, its provisions and teachings are comprehensive and complete, and valid for every time and place, and it would not have been comprehensive, complete and valid for every time and place if its provisions were not fair, flexible, broad, ...".



## Secretary General calls upon the world to end Israel's atrocities against Palestinians



H.E. Prof. Koutoub Moustapha Sano, Secretary-General of the International Islamic Fiqh Academy (IIFA), which is headquartered at the Gate of the Two Holy Mosques, the city of Jeddah in Saudi Arabia, represented and extended greetings of H.E. Mr. Hussein Ibrahim Taha, Secretary-General of the Organization of Islamic Cooperation, and of the Ummah's scholars, members and experts of IIFA, expressing their deepest thanks and gratitude to H.E. Mr. Abdel Fattah El-Sisi, President of the Arab Republic of Egypt, to his wise government, and his honorable people, for the warm welcome and hospitality since setting foot on the blessed land of Egypt. His Excellency also congratulated the distinguished scholar H.E. Sheikh Dr. Shawqi Allam, Grand Mufti of Egypt and thanked him for preparing and organizing this conference, where Muslim scholars convene to discuss ways of meeting the challenges of the third millennium. In his speech at the conference's opening session, entitled "The Fatwa and the Challenges of the Third Millennium", and on behalf of H.E. Mr. Hussein Ibrahim Taha, Secretary General of the OIC, H.E. Prof. Koutoub Moustapha Sano pointed out that this conference is being held at a critical historical moment for the Ummah and the entire world, a moment when the Ummah and the free world are confronted with the worst human tragedy and the most horrific, brutal and appalling massacre known to mankind in this millennium, which has been committed by the Zionist establishment in the occupied Palestine. This criminal establishment spills blood without mercy, violates honour without shame, destroys infrastructure without limit, and such atrocities

cannot be committed by any sane person, nor can the imagination believe in such heinous, barbaric and abhorrent bombings of hospitals, homes and mosques. His Excellency pointed out that Israel continues, to this day, to wreak havoc in all parts of Palestine, using the most lethal and bloodthirsty weapons to kill children and women, and flagrantly violating all international resolutions and humanitarian conventions signed by international organizations, including, on their top, the UN Security Council. His Excellency added: "What is shameful, disgusting to the soul and repudiated by conscience is that, unfortunately, this genocide and brutal massacre are being committed in broad daylight and under the eyes of the international community, which

has chosen to take the full side of the forces of aggression and tyranny, and which applies double standards and selectivity in the application of humanitarian law when confronted with Israel's brutal practice". His Excellency clarified that the OIC, which was created following the criminal assault on Al-Aqsa Mosque in 1969, has not hesitated and will not hesitate to defend the occupied Palestine until it regains its land and establishes its independent state, with East Jerusalem as its capital. His Excellency also called on international organizations and institutions, as well as the free peoples of the world, to force Israel to cease its brutality against civilians, in order to prevent the shedding of blood and to preserve dignity and property. His Excellency added: The world had great hope that the third millennium would be a millennium of dialogue, tolerance and coexistence between the followers of religions, a millennium of integration, solidarity and cooperation between countries, peoples and nations, which would transform intellectual, social, cultural, economic and political challenges into opportunities to build, rebuild and advance human beings everywhere. Indeed, the hope was and is that this millennium will be one in which the whole world is united in the face of injustice, aggression and tyranny so that human beings everywhere can enjoy peace, security and safety, in the light of a responsible world system in which brotherhood and humanity will prevail, divine mercy will be sublime, equality will be dominant and human dignity will be widespread. His Excellency concluded his speech by praying to Allah the Most High to be kind to our brothers and sisters in the occupied Palestine, to wipe out the injustice and aggression to which they have been subjected, to grant them victory, to welcome their martyrs into the gardens of bliss and to heal their wounded. Indeed, Allah is the Guardian and the Almighty.



## S.G. calls on Ifta Councils to adopt five values to face up challenges of the Millennium

In response to the kind invitation of the Egyptian House of Fatwa and the General Secretariat of Ifta offices and councils worldwide, H.E. Prof. Koutoub Moustapha Sano, Secretary General of the Academy, chaired the first scientific session of 8th International Conference concerning "Fatwas and the Challenges of the Third Millennium", held in Cairo on Wednesday 3 Rabi Al-Akhir 1445, corresponding to October 18, 2023. His Excellency began chairing the session entitled "Areas of Investigation and Methods of Confrontation" by referring to the importance of this conference, which is being held in difficult circumstances for the Ummah and the whole world due to the brutal aggression against the Palestinian people at the hands of the occupiers before the eyes of the whole world, emphasizing the solidarity of the International Academy of Islamic Fiqh and all fatwa councils worldwide, as well as all peace- and justice-loving peoples and nations in the world. His Excellency welcomed the OIC's firm stance on the Palestinian question, as it is a central issue that it will not hesitate to defend, and to advocate to the world its justice, until Palestine recovers all its occupied lands, and establishes its independent state, with its capital, Jerusalem. His Excellency also appreciated the positions of OIC member states, starting with the Arab Republic of Egypt, which have called for a world peace conference to find an urgent solution to end Israeli aggression against civilians in occupied Palestine. He also appreciated the efforts of the Kingdom of Saudi Arabia, which has also called for an exceptional conference of OIC foreign ministers, in the hope that the occupying forces will cease their brutal attacks on defenseless civilians. His Excellency explained that the challenges facing the fatwa and its institutions in the third millennium, twenty-three years of which have already passed, are many and varied, involving intellectual, social, cultural, economic and political challenges, as he pointed out. To this end, His Excellency presented five practical methods or values for facing up to the challenges of the third millennium and transforming them into opportunities that serve Ifta and make it an influential and present tool with power and



action. His Excellency called his proposal the five values, which are "Institutionalization, credibility, follow-up, methodology and professionalism." With regard to institutionalization, we mean that the fatwa moves from an individual action to an organized institutional action that overcomes the improvisation, chance and chaos that surround it today on all sides. This requires close monitoring of the various problems and challenges that have accumulated, in order to determine the means and methods for dealing with them in a sober manner, based on the drafting of laws; enacting laws that distinguish between areas of fatwa, such as individual fatwas that are forbidden in public affairs, and fatwas that are restricted to the supreme institution of fatwa, which includes within its ranks a group of scholars qualified to issue fatwas and the experts who support them. As for credibility, this is represented by the houses and bodies of fatwa around the world that maintain their reputation, integrity, justice, impartiality and commitment to telling the truth and stating legal rulings in an abstract, clear and direct manner that does not fear the influence of rulers or the domination of the common people, making their fatwas subject to acceptance and observance. As for actualization, we mean that the role and fatwa bodies keep up with the rapid developments, growing transformations and continuous changes the world is witnessing in all areas of life, especially in the field of means of communication and information technologies, so that the role and fatwa bodies use these means and techniques in order to deliver their fatwas to those who seek their benefit, in accordance with what affects them. It is also necessary for the role

and organs of fatwa to closely follow calamities and developments in order to respond to them and explain their rulings to enable the rising generation to know the legal rulings related to these calamities and developments. With regard to methodology, His Excellency pointed out "The role and councils of fatwa must be a model of discipline, transparency and organization, and avoid improvisation and haphazardness when dealing with developments and calamities, in order to formulate fatwas characterized by impartiality, objectivity and fairness..." As for professionalism, it means that fatwa bodies around the world must meet standards of excellence and quality at all levels, starting with aspects of their institutions and bodies, through the way their institutions deal with the questions put to them in accordance with the approach of moderation and the values of moderation, tolerance and flexibility, and ending with the way they deal with cases" His Excellency concluded by commenting on what the speakers had presented at the session, stressing the need to continue dialogue on this subject in order to develop a targeted methodology capable of confronting and combating what is being propagated by those with an extremist ideology, and those who resort to aberrant and dangerous fatwas, through communication and coordination, and as we know, thought is only confronted by thought, and extremist thought is countered by moderate thought, just as fanaticism and narrow-mindedness are confronted by tolerance and open-mindedness. It should be noted that His Excellency's speech was well received and appreciated.



## European Union Special Envoy for Afghanistan visits the Academy

H.E. Prof. Koutoub Moustapha Sano, Secretary General of the International Islamic Fiqh Academy, received H.E. Mr. Thomas Niklasson, the European Union Special Envoy for Afghanistan, on Monday 20 Rabi' al-Akhir 1445, corresponding to 6 November 2023, at the Academy in Jeddah. His Excellency welcomed his honorable guest and thanked him for the visit, and expressed his happiness with the participation of the European Union Special Envoy for Afghanistan in the international conference hosted by the Kingdom of Saudi Arabia on Women in Islam: Status and Empowerment, which will be held in the city of



Jeddah in the Kingdom of Saudi Arabia during November 6-7, 2023. His Excellency praised the European Union's historic role in resolving

conflicts around the world, and expressed his hope that it would play an important role in ending the humanitarian catastrophe to which the Palestinian people are exposed, especially the residents of Gaza and the West Bank, by putting pressure on the Israeli occupation forces to immediately stop the brutal genocide that violates international values and norms. He also expressed his aspiration to strengthen cooperation relations with the European Union in order to spread the values of moderation, tolerance, coexistence, and reject violence, hatred, and extremism.



## Secretary General calls on Muslim countries to comply with SMIIC resolutions



Following an invitation from the Standards and Metrology Institute for Islamic Countries (SMIIC) of the Organization of Islamic Cooperation (OIC), H.E. Prof. Koutoub Moustapha Sano, Secretary General of the Academy, delivered a speech at the opening session of the 18th SMIIC General Assembly Meeting, held in Makkah, on Wednesday 17 Rabi' Al-Akhir 1445, corresponding to 01 November 2023. At the start of his speech, His Excellency said: "Allow me to express my thanks and gratitude to the government of the Custodian of the Two Holy Mosques, as well as to this blessed city and its generous people, for the generous organization of this conference. I also thank the Crown Prince for his follow-through and willingness to ensure that these meetings are attended. We also extend



our thanks and appreciation to the Member states of the OIC". His Excellency highlighted the Academy's contributions, including that which led to the creation of the SMIIC, recalling the audience that "a quarter of a century ago, the International Islamic Fiqh Academy called for the creation of an institution tasked with monitoring, supervision and coordination between OIC member states, as an institution to supervise and monitor the various industries such as meat, medicine, food, drink and clothing that a Muslim needs wherever he or she lives and travels, so that he or she might be conscious of the food, drink, clothing and medicine he takes. Today, this institute has become a reality – thanks to Allah – and the Academy is proud of this institution that can carry out this important task that concerns every Muslim". Accordingly, His Excellency launched an appeal to Muslim countries and communities: "Now that the SMIIC has become a reality both in force and in action, we launch another appeal, like the one we launched a quarter of a century ago, this appeal is an invitation to Muslim countries to adhere to these standards, specifications and criteria that SMIIC has established. This institute has become the reference for Muslim countries in matters relating to their consumption, including food products, beverages, medicines and halal issues, these specifications and standards are of no use if they remain ink on paper". His Excellency then spoke about the definition of the Ummah's unity, explaining: "It is quite possible that these criteria will be applied in all Muslim countries. It is quite possible that these criteria and standards will be unified and that we will become the united Ummah, just as the Qur'an described it: 'Indeed, this Nation of yours is one Nation, and I am your Lord, so serve Me'. This desired unity should manifest itself in feelings, rites and thoughts, as well as in every action we undertake. We don't



want this unity to be merely theoretical, or not to exist in our practices, rites, clothing, food and medicine. We want this unity to manifest itself in its most beautiful form. Indeed, it is the Ummah that must achieve this unity, for it cannot 'be realized with a magician's wand or a priest's dance'. We must establish it and work towards it, starting with our commitment to these norms and resolutions." His Excellency concluded his speech by expressing his aspiration that the Kingdom of Saudi Arabia, during its presidency of the current session, will encourage Muslim countries to commit to and adhere to the standards and resolutions issued by the SMIIC, reiterating "Our concern and enthusiasm are very strong that the Kingdom of Saudi Arabia's presidency of the SMIIC Governing Council will witness a qualitative leap in the commitment of our countries and institutions to what is permitted and what is prohibited in this field". At the end of his speech, His Excellency thanked the conference's organizers, praying to Allah to grant them success in their efforts, and also for our brethren in occupied Palestine to lift the calamities from them, to help them against their enemy, to accept the martyrs and heal the wounded; for Allah is the All-Capable and the All-Mighty.

## Family Watch International President visits the Academy

As part of its active engagement with the OIC and its different organs particularly the International Islamic Fiqh Academy on family, children and marriage, the President of Family Watch International Mrs. Sharon Slater and her delegation paid a visit to the Academy in Jeddah the Kingdom of Saudi Arabia, on Tuesday 22 Rabiul Al-Akhir 1445, corresponding to 07 November 2023. Upon their arrival, they were received by H.E. Prof. Koutoub Moustapha Sano, Secretary General of the International Islamic Fiqh Academy. Family Watch International is an American based international organization that champions the cause of family and marriage dedicated to protecting and promoting family values at the international, national and local levels. At the start of the meeting, Mrs. Slater thanked Professor Sano for the warm hospitality

and accepting the meeting with her and the accompanying delegation at a very short notice. She expressed her delight at the engagement with the Academy on Islamic and religious values on the preservation of family and family values. She also looked forward to the conference on women that the Kingdom of Saudi Arabia is organising. Mrs. Slater also spoke about the proposed signing by Presidents of ACP-EU treaty scheduled for November 2023 which she thinks will likely have negative impact on the OIC member states who will sign the treaty. On his part, Professor Sano thanked his Honorable guest and her delegation for the kind visit. He renewed the commitment of the Academy to clarifying different issues with regards to the Islamic juristic views. He also expressed his appreciation to Mrs. Slater for the warm welcome that Ms. Sara Bedwi, Director



of the Family Dept, was accorded during her visit to the Organization in the United States. The meeting was attended by Mr. Mohamed Chouk, Director of Cabinet, Protocols, and Legal Affairs, Ms. Sarah Badawi, Director of the Family, Woman, Childhood and Elderly Affairs and Dr. Alhagi Manta Dammeh, Head of International Cooperation and External Relations.

## Secretary General participated in an international conference in Abu Dhabi on shariatic understanding of scientific developments



H.E. Prof. Koutoub Moustapha Sano, Secretary General of the International Islamic Fiqh Academy, participated in the second world conference entitled "Towards Sharia Understanding of Scientific Developments: Civilizational Methodology, Realistic Applications and the Ethics of Sustainability", organized by the Fatwa Council of the United Arab Emirates on 23-24 Rabi' al-Akhir 1445, corresponding to November 7-8, 2023, in Abu Dhabi. His Excellency delivered a keynote address at the third session, entitled Sharia Fatwas on Medical Issues and their Understanding of Scientific Developments, and began his speech by expressing his sincere thanks and gratitude to the United Arab Emirates for organizing this important scientific conference at a time when our contemporary world is witnessing a qualitative leap and abundance. The quantitative aspect refers to the types of scientific developments that should inevitably

be approached with guidance and orientation, based on the general principles of sharia, maqasid, balancing interests and harms, and the consequences of actions. His Excellency explained that "The IIFA, as the greatest contemporary reference for collective ijtihad, has chosen a solid approach to dealing with scientific developments, based on the integration of jurists and experts in all available scientific fields, particularly in medicine, economics and sociology, on which the Academy relies to adopt Sharia resolutions on these vital issues. Medical sciences are based on clear perceptions and accurate information provided by specialists on the reality of scientific innovation, its origin, purpose and impact, as well as an explanation of its position on the scale of necessary, indispensable and sharia-improving interests. These perceptions submitted by the specialists are then presented to the Academy's Council in the presence of its members and experts in order to clarify the appropriate Sharia ruling in the light of the members' unfailing understanding of the new developments, and their very precise understanding of the impact of the appropriate Sharia ruling in this regard. His Excellency spoke of the procedures followed by the Council when issuing resolutions and recommendations: "When issuing its resolutions and recommendations, the Academy's Council is keen to adhere to objectivity and impartiality in presentation and discussion, and is open in its resolutions to recognized schools of Islamic law,

and is not bound by any specific school of law. Whereas resolutions relating to these innovations cannot be attributed to the schools' previous imams, as these are new issues in religion that were not known at their time." His Excellency concluded: I believe that the recommendation the Academy's aspiration to "make the most of this conference's recommendations, and hopes that communication and coordination with the UAE Fatwa Council will continue on this important subject, in order to enable contemporary Muslims to learn the Sharia rulings on scientific developments with ease and comfort." His Excellency concluded his speech by praying to the Almighty to reward the UAE, on behalf of the Ummah, by granting the best reward to its rulers and people, and to bless H.E. Sheikh Abdullah bin Bayyah, to grant him health and well-being and to benefit us, the Ummah, and the whole world, with his knowledge and wisdom.



## Delegation from Islamic Economics Institute of King Abdulaziz University visit the IIFA

As part of its Executive Education programme, a delegation from the Islamic Economics Institute of King Abdulaziz University, including faculty members and over ten research students, attended a lecture by H.E. Professor Koutoub Moustapha Sano Secretary general of the International Islamic Fiqh Academy on Monday 29 Rabi Al-Akhir, corresponding to 13th November 2023. The faculty was led by Dr. Hasan Makhethi, Deputy Dean, Postgraduate Studies and Research, Islamic Economics Institute at the University. The faculty included eminent scholars and practitioners from different countries. At the beginning of the lecture, a short film was shown on the history of the Academy its history, vision and achievements. Then, Dr. Kallem Alam the programme coordinated introduced Professor Sano with regards his vast academic career and expertise in Islamic law and Islamic economics and the great role that the Academy is playing in responding to the challenges and new developments on different issues. Dr Kallem Alam also thanked Professor Sano and his officials for the hospitality and warm welcome. H.E. Professor Sano welcomed the faculty members, thanking them for having this session at the Academy with this caliber of experienced people in different industries and fields. Then, a lecture by Professor Sano where he focused on the importance of fatwa, methodology of fatwa, fatwa for financial products and the approach adopted by the Academy with regards



to collective Ijtihad. At the beginning of the Lecture titled: "methodology of Issuing fatwa for Financial Products", Professor Sano states: "fatwa has been the main recourse of Muslim communities in order to know Sharia provisions on calamities and developments. It is of utmost importance in shaping the contemporary Muslim mind, defining its identity, and its view of itself, its society, and the world around it. Therefore, it is not surprising that the practice of this honourable task remains sacred throughout history, based on its influence on perceptions and practices". He added: "However, it is unfortunate what we see today frantic strife from incompetent people would take it as a vehicle for false fame, a deluded popularity, and toxic ideological means to spread problems and political unrest. There is a need to provide the necessary protection mechanism for this honourable profession and achieving decisive legal framework that protects the people and the

country from the unjust and ambiguous fatwas issued by those who are not qualified". On fatwa for financial products, Professor elaborated on the need for fatwa for alleviation of poverty, social inclusion of the marginalised, social mobility, combating ignorance and promoting education, combating exclusion, and extremism, reduction of societies' poverty, famine, and unemployment. It also contributes to the achievement of sustainable growth and the need to support humanitarian work to provide relief to disaster victims, those affected during epidemics, and the displaced during conflicts, whether the beneficiaries are Muslims or non-Muslims. Finally, Professor Sano exchanged gifts with his guests from the University. They presented to Professor Sano a certificate to express their profound gratitude and in recognition of his scholarship, experience and expertise in Islamic economics and finance.





## Delegation from Prince Songkla University in Thailand visits IIFA

H.E. Prof. Koutoub Moustapha Sano, Secretary-General of the Academy, received a delegation of teachers and students of Prince Songkla Government University from the Kingdom of Thailand on Wednesday, on 17th Rabi' al-akhir, 1445, corresponding to November 1, 2023, at the headquarters of the Academy in Jeddah, Saudi Arabia. His Excellency welcomed the delegation and thanked them for visiting the Academy's headquarters on the sidelines of the delegation's educational visit to Saudi Arabia, then invited the delegation to watch a documentary about the Academy. His Excellency spoke about the place of Muslim

communities in the Academy's resolutions and recommendations, noting that one of the most important objectives of the Academy is to issue fatwas to Muslim communities outside the Muslim world in a way that preserves the values of Islam, its culture, and its traditions, while adhering to the requirements of citizenship and residency in those non-Muslim countries. In fact, the Academy is very keen to strengthen relations of cooperation, communication and coordination with institutions and higher scientific councils within these societies that take moderation as a culture, and are committed to the



requirements of citizenship in the countries where they live. His Excellency concluded his speech by expressing the Academy's readiness to cooperate with the University.

## IIFA participates in training courses on emergency and disaster management



Mr. Mohamed Walid Al-Idrissi, Director of the Department of Media and Public Relations, represented the Academy, participated in the training course on emergency preparedness and response and disaster management (Global Refugee Forum/Global Compact on Refugees) organized by the Organization of Islamic Cooperation, in partnership with the United Nations High Commissioner for Refugees, at the Cooperation Council for the Arab Gulf States during the period between 17-18 Rabi' al-Akhir 1445, corresponding to 1-2 November 2023, at the OIC in Jeddah. The course included a group of specialized lectures

delivered by UNHCR experts and aimed to provide representatives of the OIC's member states, and employees with the necessary knowledge on emergency preparedness and disaster management, in addition to exchanging important technical information about the Global Compact on Refugees and preparations for the next Global Refugee Forum. The Academy has issued a fatwa calling on philanthropists to contribute with their zakat to UNHCR aimed at saving millions of people who live in extremely harsh living conditions and are suffering under the yoke of poverty and destitution, and clean living.

## 36th Monthly Meeting of Academy's Personnel

The Secretariat General of the Academy held thirty-sixth monthly meeting of the Academy's personnel on Sunday, 21 Rabi Al-Akhir 1445, corresponding to 5 November 2023, at the headquarters of the Secretariat General in Jeddah. H.E. Koutoub Moustapha Sano, Secretary General of the Academy, welcomed and thanked the participants, stressing the importance of the monthly meetings of the Academy's employees, to review the Academy's work progress during the past month, and making it an opportunity for self-criticism, resolving problems, submitting suggestions, and discussing issues of concern,



in all freedom and transparency, noting that this meeting represents three years since His Excellency assumed his duties as Secretary-

General of the Academy on October 1, 2020. His Excellency spoke about the importance of staying away from spreading rumors and falling into the diseases of the heart such as backbiting and gossip, as this results in spreading discord among people. His Excellency opened the way for all officials to freely express their opinions and suggestions, and to submit their professional and social problems and issues for discussion, in order to improve positive communication between His Excellency also listened attentively to the interventions and requests of the participants.

## 113th Weekly Meeting of Departments

H.E. Prof. Koutoub Moustapha Sano, Secretary-General of the Academy, chaired the 113th weekly meeting of departments' directors, on Monday 15th Rabi Al-Akhir 1445, corresponding to 30 October 2023, at the headquarters of the Secretariat General in Jeddah. At the beginning of the meeting, His Excellency welcomed the attendees and thanked them for their keenness to participate in the weekly meetings, reiterating the importance of these meetings during which they discuss and work together to make decisions and discuss various issues and matters related to the

Secretariat General of the Academy. His Excellency called on all employees to plan well their leaves in order to avoid taking leave that would harm the work progress in the Academy. The meeting concluded with several decisions, notably:

- Preparing the list of topics postponed in previous Academy sessions to be studied in the next session.
- Submitting a report on the translations of the Academy's resolutions and recommendations.

Ensure all employees finish all work at hand before submitting leave request.



## 114th Weekly Meeting of Departments

H.E. Prof. Koutoub Moustapha Sano, Secretary General of the Academy, chaired the 114th weekly meeting of the heads of departments on Monday, 22 Rabi' al-Awal 1445, corresponding to 6 November 2023, at the Academy's headquarters in Jeddah. At the beginning of the meeting, His Excellency welcomed the participants and then spoke about his participation in the international conference on: "Women in Islam, Status and Empowerment", organised by the Organisation of Islamic Cooperation in cooperation with the Kingdom of Saudi Arabia, under the generous patronage of the Custodian of the Two Holy Mosques, King Salman bin Abdulaziz Al Saud. His Excellency participated in the scientific sessions

of the conference, reviewing the status of women and their rights in Islam, as well as the high status they enjoy. His Excellency emphasised that women's rights are parallel to the rights granted to their male brothers in all areas of life, be it education, intellect, culture, society, economics, or politics. His Excellency spoke of coordination with the authorities of the Kingdom of Saudi Arabia for the holding of the next session, and called on all departments to cooperate, integrate and make greater efforts to ensure the holding of this session. The meeting discussed previous decisions and issued new decisions, namely:

- To submit a report on the translations of the Academy's resolutions and recommendations.



- To reiterate the need to abide by the Academy's rules and guidelines and to refrain from behaviour that is inconsistent with the Academy's values and reputation.

## 115th Meeting of Departments



The Secretariat General of the Academy held its 115th weekly meeting for departments directors, chaired by H.E. Prof. Koutoub Moustapha Sano, on Monday, Rabi Al-Akhir 29, 1445, corresponding to November 13, 2023, at the

Secretariat General's headquarters in Jeddah. His Excellency welcomed the participants and thanked them for attending these meetings, and then spoke about his participation in the second world conference organised by the Fatwa Council of the United Arab Emirates in the capital, Abu Dhabi, entitled "Towards a Shariah-based Understanding of Scientific Developments – Civilised Methodology, Realistic Applications and the Ethics of Sustainability". More than 160 scientific and intellectual participants, representing over 50 countries and 71 fatwa

bodies from around the world, took part in the conference. His Excellency delivered a speech at one of the conference sessions on the Academy's approach to the study of modern issues and developments. The meeting discussed previous decisions, and issued new decisions, namely:

- Preparing to hold a Bureau meeting as soon as possible to discuss how to transform the Academy from a subsidiary body to a specialized body.
- Reviewing resolutions' translation report and conclude with new decisions in this regard.

## 52nd Regular Meeting of Divisions

H.E. Prof. Koutoub Moustapha Sano, Secretary-General of the International Islamic Fiqh Academy, chaired the fifty-second regular meeting of divisions' heads, on Thursday 11 Rabi' al-Akhir 1445, corresponding to 26 October 2023, at the headquarters of the Secretariat General in Jeddah. His Excellency began the meeting by welcoming everyone and thanking them for their commitment to attending the meetings, then spoke about "the abuse of the right," noting that everyone has the right to take (ordinary leave), but the abuse of this right occurs when existing work is left behind and there is no one to do it. Such actions will lead to the disruption of urgent ongoing work, reminding everyone of the need

to be honest and truthful in dealing with the institution, and to feel a sense of responsibility towards the Islamic nation, and that the moral responsibility is grave for all of us to perform our duty to the fullest and most brilliant image. The attendees then discussed the items on the meeting's agenda, and new decisions were issued, notably:

- Prepare the third-year newsletters, and publish it in one volume as in the previous two years.
- Sending the latest copy of employees' CVs to be included in the book of the Academy's members in a special chapter for the Academy's employees.
- Working on holding the symposium "The Family Foundation: Challenges



and Prospects," proposed to be held in Istanbul in cooperation with the Islamic Youth Forum in Turkey, and reviewing the research in this regard.

General Supervisor  
PROF. DR. KOUTOUB MOUSTAPHA SANO

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DR. ALHAGI MANTA DRAMMEH  
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**ISSUE No. 38**



## IIFA mourns H.H. Sheikh Nawaf Al-Jaber Al-Sabah, may Allah shower him with mercy



“O reassured soul, Return to your Lord, well-pleased and pleasing [to Him], And enter among My [righteous] servants And enter My Paradise.” Surat Al-Fajr 89-30.

With hearts full of faith in Allah's destiny, and with great sadness and sorrow, the Secretariat General of the International Islamic Fiqh Academy received the news of the death of His Highness Sheikh Nawaf Al-Ahmad Al-Jaber Al-Sabah, Emir of the State of Kuwait. May Allah have mercy on him.

On this tragic occasion, the International Islamic Fiqh Academy, its presidency, secretariat general, members, experts, and associates, expresses to Kuwait's people and government of Kuwait their sincere condolences and sympathy, praying to Allah The Almighty, to shower the deceased with His immense mercy, to forgive him and to welcome him into His spacious Paradise, in the company of the prophets, the truthful, the martyrs and the righteous, who are the best of companions. We also ask

Almighty Allah to inspire H.E. Sheikh Mishal Al-Ahmad Al-Jaber Al-Sabah, the current Amir of the State of Kuwait, as well as the deceased's loved ones, family, and admirers, with patience and comfort, and contentment with Allah's destiny. To Allah we belong and to Him we shall return.

**His Excellency Professor  
 Emeritus Dato Dr Koutoub  
 Moustapha Sano  
 Secretary General of the  
 International Islamic Fiqh  
 Academy**



## Her Majesty Queen Consort of Malaysia confers the title of Emeritus Professor on Secretary General



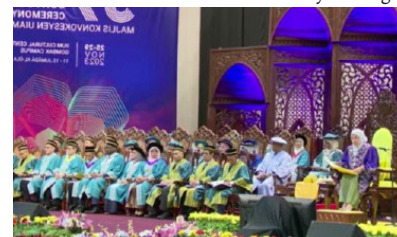
Her Majesty Queen Consort **Tunku Hajah Azizah Aminah Maimunah Iskandariah binti Almarhum Al-Mutawakkil Alallah Sultan Iskandar Al-Haj**, Constitutional Head of the International Islamic University of Malaysia (IIUM), conferred the title of Emeritus Professor on H.E Professor Dato Dr. Koutoub Moustapha SANO, Secretary General of the International Islamic Fiqh Academy of the Organization of Islamic Cooperation (OIC). The conferment ceremony took place during the 39th IIUM convocation on Saturday, 11 Jumada Al-Ula, 1445, corresponding to 25 November 2023, in Kuala Lumpur, Malaysia. It was in recognition of the distinguished contributions and appreciated efforts of His Excellency Professor SANO in promoting quality education in Malaysia in particular and the Muslim world in general. The title is considered to be the highest distinction awarded in the field of higher education in

Malaysian universities, and IIUM justified the award to His Excellency by stating: "His Excellency Professor Dato Dr. Koutoub Moustapha SANO is known as an eminent Islamic thinker and statesman, whose illustrious intellectual and professional career spans academic circles, research fields, and public services, as well as judicious diplomacy at the highest level. His Excellency graduated with honors from King Saud University in Saudi Arabia, where he earned



a master's degree in Islamic jurisprudence and its principles, then he went on to obtain a PhD in Laws from the International Islamic University of Malaysia and a State Doctorate in Islamic Finance with distinction from El Zaitouna University in Tunisia. He began his academic career at the IIUM as a lecturer in the Department of Islamic Revealed Knowledge and Islamic Heritage, serving as associate professor and then full professor. Yet, he became a full professor at the age of thirty-five, thus becoming the

youngest professor in the university's history. His Excellency is fluent in several languages, which has enabled him to write twenty-six outstanding works in Arabic, English, and French. On his return to his homeland, the Republic of Guinea, His Excellency held several ministerial posts, first as Minister of Religious Affairs, then as Minister of International Cooperation, Minister Designate for Diplomatic Affairs at the Presidency of the Republic, and finally as Diplomatic Advisor to the President of the Republic". His Excellency holds the post of the Secretary General of the International Islamic Fiqh Academy (Organization of Islamic Cooperation) since 2020. Today, the Academy is considered the Muslim world's largest and most eminent contemporary and international reference in Fiqh and collective ijtihad, as its members and experts are among the Ummah's most eminent scholars in various fields of knowledge and thought. These are some important reasons for the decision of the IIUM to confer upon him the title of Emeritus Professor in appreciation and recognition of his lasting efforts and contributions to IIUM, to Malaysia, to the Ummah and to the humanity at large.





## Prime Minister of Malaysia welcomes Secretary General of the Academy

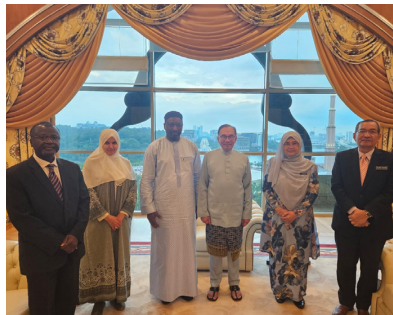


The Honourable Prime Minister of Malaysia, Dato Sri Anwar Ibrahim, warmly welcomed His Excellency Professor Emeritus Dato Dr. Koutoub Moustapha Sano, Secretary General of the International Islamic Fiqh Academy of the OIC, and his delegation, on Friday 24 jumaadah al ulah 1445, corresponding to December 8, 2023, at the



Prime Minister's office in Putrajaya, Malaysia. He praised the efforts of the Academy in the field of moderation and tolerance, hoping that the meetings that the Professor and his delegation held with Malaysian officials were fruitful, enabling greater cooperation and strategic partnership between the Academy and various Malaysian scientific and religious institutions particularly the Department of the Islamic Development (JAKIM). He particularly praised the efforts of the Academy regarding girls' education in Afghanistan, allowing them to continue their studies in all specializations at all levels of education, as well as allowing women to participate in development efforts of their country, hoping that this problem will find a rapid solution soon. In this regard, he reaffirmed Malaysia's readiness to provide all necessary support to the Academy

in particular and all OIC agencies in general in order to strengthen joint Islamic action and sustain the ties of brotherhood among Muslims. For his part, the Secretary General expressed to the Honorable Prime Minister his sincere thanks and those of his delegation for the warm welcome and for having given this opportunity to meet him despite his very tight and busy schedule. He also expressed the thankfulness of the Academy for the tireless efforts of The PM and his government in supporting and strengthening cooperation among OIC Member States. He particularly expressed his profound gratitude for the great support and attention that the Academy in particular and the OIC in general have received from the government and people of Malaysia since its inception until today. He then thanked the government of Malaysia for the participation of a high delegation from Malaysia in the delegation of Umma scholars who visited Kabul last September, while expressing optimism about the possibility of finding in the near future an appropriate and urgent solution to the issue of girls' education and women's work

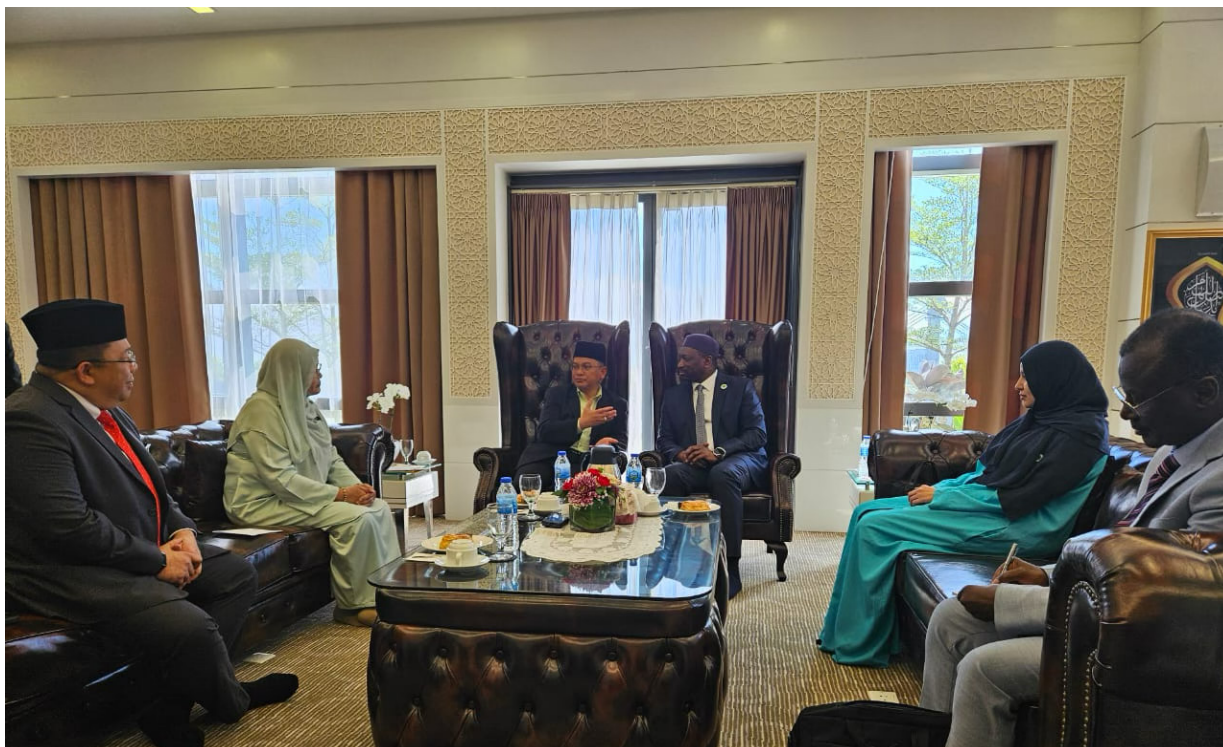


in Afghanistan inshaa Allah. He also expressed the deep gratitude of the Ummah scholars for his sustained and continuous efforts in defending the Palestinian cause, which the Ummah scholars consider to be a sacred issue, a religious issue and a human rights issue, seeking further integration of its efforts with the efforts of his brothers, Their Majesties, Highnesses, Excellencies, leaders of the Islamic world, in order to force the Zionist occupying government in Israel to immediately stop killing innocent civilians, including women, children and the elderly, and destroying infrastructure such as hospitals, universities, schools, places of worship, streets and facilities, as well as the unjust and aggressive destruction of homes on the heads of their inhabitants, boldly defying all traditions and international and humanitarian laws. He also conveyed to His Honourable the aspiration of the Ummah scholars to provide more support and care to the Palestinian people, especially the displaced, by providing opportunities for education and decent living. Finally, he renewed his thanks to His Honourable for conferring on his humble person



the title of Professor Emeritus by Her Majesty the Queen of Malaysia, in recognition of his remarkable contributions to the advancement of quality education in Malaysia, praying to God to preserve His Honorable, grant him good health and bless him and the people of Malaysia. At the end of the meeting, His Honorable made this wonderful statement: "This afternoon in Putrajaya, I received a visit from the Secretary General of the International Academy of Islamic Jurisprudence (AIFI), Professor Emeritus Dato' Dr. Koutoub Moustapha Sano. JAKIM Director General Datuk Hajah Hakimah Mohd Yusoff was also present. I express my appreciation of the initiative implemented by the emeritus professor, which aims to elevate the dignity of women through the culture of knowledge and a system of systematic studies in several Islamic countries. I also shared the aspect of educational aid to Palestine, which was praised by the professor emeritus.

## Malaysian Minister of Religious Affairs receives Secretary General in Putrajaya



H.E. Dr. Dato' Muhammad Naeem bin Mukhtar, Malaysian Minister for Religious Affairs in the Prime Minister's Office, received H.E. Prof. Koutoub Moustapha Sano, Secretary-General of the International Islamic Fiqh Academy (IIFA), on Monday, 20 Jumada al-Ula 1445, corresponding to 04 December 2023, in Putrajaya, the administrative capital of Malaysia. His Excellency the Minister welcomed the Secretary General and thanked him and the accompanying delegation for the visit, and took the opportunity to congratulate him for being honoured by H.E. the Queen of Malaysia with an Emeritus Medal at the International Islamic University in Malaysia in appreciation of his efforts in promoting education in Malaysia in particular and in the Islamic world in general. He added: "This honor and appreciation indicates the high academic level of Your Excellency. It also indicates your recognized excellence and dedication to serving science, knowledge, and students of knowledge, as well as your great contribution to improving quality education in Malaysia. Our heartfelt congratulations to you from our Ministry." His Excellency then praised IIFA, its resolutions and recommendations, which have today become a reference for the Ummah in various fields, noting in this regard the desire of the Malaysian scientific and religious institutions in general and the Malaysian Islamic Development Administration (JAKIM) in particular, to strengthen and enhance cooperation and partnership with the Academy in various fields, including the exchange of

expertise and competencies, and signing of an MoU in the coming days. For his part, the Secretary-General expressed his sincere thanks and utmost appreciation to the Minister for the hospitality and warm welcome, congratulating him on his appointment as Minister of Religious Affairs in the new government. His Excellency then welcomed the desire of the Malaysian scientific and fatwa institutions, especially the Malaysian Islamic Development Department in the Prime Minister's Office, to enhance



cooperation, communication and coordination with IIFAA, praising the great support and constant care that the Academy has received from the government and people of Malaysia, since its establishment to the present day. His Excellency concluded his speech by saying: "We welcome and look forward to all aspects of cooperation, coordination and communication with scientific and religious institutions in Malaysia, and we

especially welcome strategic cooperation with the Malaysian Islamic Development Department, in the areas of coordinating efforts and harmonizing fatwas on current issues and developments through joint organization of specialized seminars and conferences to consolidate the bonds of cooperation, integration and solidarity. On the Malaysian side, the meeting was attended by H.E. Datuk Hajja Hakima Yusof, Director-General of the Malaysian Islamic Development Department, and her deputy, Mr. Dato Sirajuddin, and was also attended by Mrs. Sarah bint Amjad Bediwi, Director of Family, Women and Children, and Dr. Haji Manta Dramah, Head of the International Cooperation and Foreign Relations Department at IIFA.





## Director General of JAKIM meets IIFA Delegation in Putrajaya



Datuk Hakimah Yusuf, Director-General of the Islamic Development Administration (JAKIM) at the Prime Minister's Office in Putrajaya, held a meeting with the IIFA delegation visiting Malaysia on Monday, 20 Jumada al-Ula 1445, corresponding to December 4, 2023. The Delegation was headed by H.E. Prof. Koutoub Moustapha Sano, IIFA's Secretary-General. Datuk Hakimah Yusuf expressed her great pleasure and appreciation for meeting with H.E. Prof. Koutoub Moustapha Sano and his accompanying delegation, congratulating His Excellency on receiving the Emeritus Honor from the hands of H.M. Queen of Malaysia and IIUM's Chancellor. She added: "We believe that this recognition and honour is, in fact, recognition of Your Excellency's extensive knowledge and your great contributions to education. We hope that this will encourage Your Excellency to make further contributions and efforts in education and knowledge as a brilliant and proficient scholar in the sciences of Islamic law." Her Excellency

then spoke about the aspiration of the Islamic Development Department to build a strategic partnership and close cooperation with the Academy in all fields, especially in the areas of examining current issues and developments that occur in reality, through coordinating fatwas and organizing specialized seminars and conferences on some issues and matters of common interest.



For his part, the Secretary-General expressed, on behalf of IIFA, his sincere thanks and gratitude for the warm welcome and generous hospitality to the delegation since its arrival to Malaysia,

noting the distinguished central role and active presence of Malaysia in the Organization of Islamic Cooperation and within its various organs, praising the unlimited support that IIFA enjoys from Malaysia as a government and people, from its inception to the present day. His Excellency added: "We are looking forward to strengthening cooperation, partnership and coordination with the Islamic Development Department, and we are also studying the possibility of opening an office of IIFA in Malaysia to coordinate the projects, programs and activities that IIFA may plan to conduct in OIC's member states that fall under the Asian group." The meeting discussed several issues, including the recent amendments to the draft of the MoU that the two parties will sign in the coming days. The meeting also discussed starting preparations for holding joint scientific seminars in the fields of facilitating jurisprudence, the halal industry, the rights of people with special needs, and other topics of common interest. The Deputy Director-General and a number of her staff attended the meeting. The delegation was composed of Mrs. Sarah bint Amjad Bediwi, Director of Family, Women and Children Affairs, and Dr. Hajj Manta Drammeh, Head of the International Cooperation and Foreign Relations Department at the Academy.



## IIFA participates in Roundtable on Drafting Guidance Document to improve Moral Well-being of Women and Children



A delegation from the International Islamic Fiqh Academy, including Mrs Sarah Bint Amjad, Director of Family, Women and Children Affairs, and Dr Alhaji Manta Drammeh, Head of the International Cooperation and Foreign Relations Division at the Academy, participated in a roundtable meeting to draft an executive guidance document on Islamic values and ethics to improve the moral welfare of women, children, and the family in OIC member states. The meeting was held in Kuala Lumpur, Malaysia, from 20 to 22 Jumada al-Ula 1445, corresponding to 4 to 6 December 2023. At the beginning of the meeting, H.E. Prof. Abdul Aziz Barghouth, Director of

the IIUM's International Institute of Thought and Civilisation welcomed the participants to the roundtable, and then presented the objectives and priorities of the policy paper submitted to the participants, noting that the efforts made by the various OIC bodies will improve the document with greater depth and precision, before finally submitting it to the OIC General Secretariat for further deliberations. She also expressed her gratitude to the participants from the OIC bodies and hoped that their contributions would be important in improving the policy document. In her speech, Mrs Sarah Bint Amjad Bedewi, Director of Family, Women and Children, stressed the importance of the family and its central position in IIFA's activities and programmes, pointing out that "IIFA's Secretariat General has recently created an independent Department for Family, Women, Children and Elderly Affairs to focus on issues and problems related to the family, women, children and people with special needs. This department has been involved in many activities since its inception, organising joint seminars on issues of particular interest to the family and women from an Islamic

perspective. It has also organized meetings and conferences with local organisations and institutions on relevant international issues of common interest". It is worth mentioning that this roundtable aimed to clarify the important role of Islamic values in the family, in building a balanced Islamic personality capable of facing the challenges of misconceptions and stereotyped caricatures of Islam through scientific and academic discussion, and its organisation is the result of OIC Council Resolution No. 4, Resolution No. 48-C. Therefore, The round table was organised by the OIC General Secretariat in partnership with the International Institute of Islamic Thought and Civilisation at the International Islamic University Malaysia.



## Dr. Abdulfatah Abnauf: Racism is a major crime and attack against the Creator



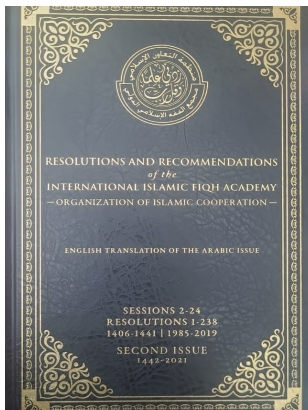
Dr. Abdel Fattah Mahmoud Abnauf, Director of the Planning and International Cooperation Department at the Academy, delivered a speech at the International Conference on: "Elimination of Racial Discrimination from an Islamic and Human Rights Perspective", on Sunday, 12 Jumada Al-Awwal 1445 AH corresponding to 26 November 2023 AD in Jeddah. He spoke about three pillars of Islamic normative and institutional frameworks to eliminate racial discrimination, saying: "The first pillar: on some Islamic principles and guidelines in eliminating racial discrimination, the second pillar: institutional aspects by focusing on the efforts made by the International Islamic Fiqh Academy in this context through its seminars, scientific conferences and decisions issued by it, and the third pillar: proposals on some treatments and solutions to eliminate racial discrimination." Referring to the definition of racial discrimination, he said: "Any distinction, exclusion, restriction or preference based on race, colour, descent, or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise of human rights and fundamental freedoms on an equal basis in the political, economic, social, cultural or any other field of public life". He then spoke about racism as one of the social diseases that Islam fought, saying: "Islam considered racism a major crime and a blatant attack on the Creator of the universe, and the divine and legislation He made. And that Islam from the very beginning of the mission of the Prophet (peace and blessings of Allah be upon him) closed all doors leading to racial discrimination, by preserving rights and making many religious slogans a reason for achieving unity in society. Praying close to each other and in straight rows, pilgrimage in one

uniform, fasting at the same time, and other acts of worship in order to preserve the cohesion of society from disintegration and from the shield of hatred among human beings. He also fought racism, fanaticism, violence and extremism and legislated universal teachings and sound legislation that, if we apply it well to our reality, can help in eliminating slavery, domination and racial discrimination." Islam has recognized the principle of equality for all people, regardless of their differences, and the Qur'anic and Hadith evidence is abundant. Equality exists in rights and duties, rulings, worship and beliefs, but disparity and restriction for the administration of justice for both sexes, and for what each one improves and suits his instinct and creation, and people are differentiated according to their deeds: (and for all degrees of what they have done). He then referred to the second principle of treating racism, saying: "Second: The principle of justice: The individual has the right to defend himself whenever he is wronged. He also has the right to resort to an independent legitimate authority that can protect and do justice to him and defend him from the injustice he has suffered, as well as several rights. He then spoke about the third principle to treat racism, saying: "Third: the principle of human dignity: respect for human dignity regardless of religion, sex, colour or race, respect for the feelings of others who have different religions and not ridicule and mock their beliefs. "We have honoured the children of Adam." He then referred to the fourth principle of treating racism, he said: "Fourth: fanaticism: It is the fanaticism of a person in his belief, and in what he sees of words or deeds and his claim of perfection for himself according to his whim, and racism blamed in our Islamic law. It is worth mentioning here that one of the most important objectives of the International Islamic Fiqh Academy is to renounce sectarian fanaticism and exaggeration in religion and to accuse sects and their followers of infidelity by spreading the spirit of moderation, and tolerance among the followers of different Islamic sects and groups." He then went on to talk about the second pillar, the institutional effort through the International

Islamic Fiqh Academy in the treatment of racism, he said: "The Academy has dealt with some aspects related to the subject, whether directly or indirectly, through its scientific conferences, and I refer here to some resolutions and recommendations on the subject, and that it can be referred to in detail through the Academy's website, including its resolution on human rights and international violence in the 14th session 2003. He concluded his speech with the third pillar of proposals to treat racism, saying: "Calling on educational and scientific institutions in Member States to highlight the tolerance of Islam in its bright image, which calls for the values of tolerance, love, communication with others and cooperation for good, by intensifying educational programmes and focusing on the younger generations in introducing tolerant Islamic principles, correcting many misconceptions about understanding legal texts by holding scientific courses and workshops, activating the role of scientists from preachers and specialists in the various houses of science, activating the role of the media of all kinds in introducing and enlightening the seriousness of racial discrimination, calling for racism, adopting its ideas and addressing this by all possible means, enacting legislation and laws that criminalize racial discrimination and adopt its ideas, applying deterrent laws, To eradicate racism and enslavement, and to call on countries and societies to benefit from successful experiences in ways to confront extremism, terrorism and intolerance of all kinds." The session was attended by a group of representatives of the Commission's member states, observer states, national institutions and organizations concerned with human rights.



## An Brief Introduction to the Resolutions of the International Islamic Fiqh 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 sixty (260) 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 humanity that will remain forever on earth.





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. 1

The International Islamic Fiqh Academy, holding its first session, in Makkah al-Mukarramah, on 26-29 Safar 1405 H (19 to 22 November 1984), Having reviewed the report of the Studies and Research Division, its main themes and recommendations, namely:

- The Research of current issues and facts based on an analysis that relies on legitimate evidence and the realization of the intended objectives of the Sharia and aims at facilitating and removing hardships from the Sharia provisions and its general rules.
- Using the findings of serious research and studies relating to all fiqh schools and documenting the different schools' opinions from their reliable sources and its renowned books.
- Conducting studies and research under the following standards and criteria:
- Accuracy and actuality.
- An Ijtihad based on Islamic foundations and that takes into account the objectives and interests of the Shariah.
- Following comparative jurisprudence approach in the research and study on different issues.
- Commitment to objectivity and impartiality.
- Endorsing respect where there is disagreement and formulating resolutions based on the majority opinion while mentioning the different opinions.
- Providing opinions and research with correct evidence based on the foundations of Islam and heritage sources and tracing ahadith according to the accepted standards of takhrij (analysis of transmission) and documenting the quotes based on approved criteria.

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## Resolutions and Recommendations of the 1st Session of the Council of the International Islamic Fiqh Academy

### Resolution No. 2

The International Islamic Fiqh Academy, holding its first session, in Makkah al-Mukarramah, on 26-29 Safar 1405 H (19 to 22 November 1984), Having reviewed the report of the Studies and Research Division, its main themes and recommendations, Resolves,

- Monitoring existing Sharia-based codifications and draft codifications and legislation of Sharia rulings in any Muslim country and collecting them to codify Sharia and document them in easily accessible ways.
- Prioritize research and studies in the following areas:
  - Curricula of Islamic jurisprudence and its methodologies.
  - Ijtihad in contemporary Muslim society
  - Judicial and legal systems in Islam
  - Contemporary business corporations and their points of interest.

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### Resolution No. 3

The International Islamic Fiqh Academy, holding its first session, in Makkah al-Mukarramah, on 26-29 Safar 1405 H (19 to 22 November 1984), Having reviewed the report of the Ifta Division, its main themes and recommendations, Resolves, The Ifta in our work refers to the opinions that are issued on the issues that concern the Islamic Ummah, such as the contemporary problems and present them to the Academy to issue appropriate resolutions. Facilitate and improve the knowledge of Fiqh by the following means:

A – Fiqh Terms: Leveraging and contributing to the terminology by reviewing and adding to what exists.  
B – Fiqh Encyclopedias: Examining the existing, correcting what needs to be corrected and completing what needs to be completed, working to advance their projects, and enriching it with proofs.  
C – Publication of books on Fiqh: Editing manuscripts from world libraries, identifying each of them and acquiring, if necessary, their images in order to print them, and reprinting the known books of jurisprudence that have a shortage in printing.

D-Indexation of Fiqh books by underlining the subjects that will facilitate their use.

- The issuance of fatwas on important issues is based on the examination of the relevant division specializing in a fatwa on various general issues in which Shariah-based solutions are sought to provide solutions emanating from the Islamic Shariah that help foster the growth and development of Muslim societies in the right direction.

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### Resolution No. 4

The International Islamic Fiqh Academy, holding its first session, in Makkah al-Mukarramah, on 26-29 Safar 1405 H (19 to 22 November 1984), Issued the following organizational resolutions:

- The Secretary General of the Academy shall be responsible for selecting researchers and experts for a period of one year, based on lists of scientific personalities provided and distributed to the Council's members.
- Include the following persons, scientific bodies and organizations that share some of the Academy's activities; in addition, a representative of the Muslim communities in non-Muslim countries, in accordance with Article VII, paragraph II of the Statute of the Academy
- 1. Sheikh Mustafa Al-Zarqa
- 2. Sheikh Dr. Al-Siddiq Al-Dharir.
- 3. Dr. Mohammed Salam Madkour.
- 4. Sheikh Abdul Razzaq Afify.
- 5. The Fiqh Council of the World Islamic League in Makkah.
- 6. Encyclopedia of Fiqh in Kuwait.
- 7. The Islamic Research Academy at Al-Azhar, Cairo.
- 8. Research Academy for Islamic Civilization and the Ahlu al-Bayt Foundation in Jordan.
- 9. Islamic Educational, Scientific and Cultural Organization.
- 10. Council of Islamic Ideology in Islamabad, Pakistan.
- 11. Sheikh Jaber Al-Alwani, proposed by the International Institute of Islamic Thought of the United States of America.
- The Meeting of Divisions shall be held every three months, one after the other, at the Academy's headquarters in Jeddah, and concludes with the Council's meeting at its ordinary session.
- The Bureau of the Council shall meet twice a year, once a year, and again before the ordinary session.

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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. 1 (1/2) Zakāh on Debts

The Council of the International Islamic Fiqh Academy of the Organization of the Islamic Conference, holding its 2nd session in Jeddah, Saudi Arabia on 10–16 Rabīʿ al-Ākhir 1406H (22–28 December January 1985),

HAVING EXAMINED the research papers submitted to the Academy concerning Zakāh on Debts, HAVING LISTENED to the in-depth discussions on the subject from different perspectives, IT BECAME EVIDENT THAT:

1. There is no apparent reference in the Quran or the Sunnah elaborating in detail the rulings concerning Zakāh on debts.
2. Several opinions of the Companions and their Followers (Ṣaḥābah and Tabīʿūn) (RA) have been reported on the method of paying Zakāh on debts.
3. The Islamic schools of jurisprudence have differed clearly on the subject.
4. The difference in legal opinion regarding this subject is, in turn, caused by their differing opinions regarding the fundamental principle of whether receivable assets can actually be classified as received.

Resolves

1. Zakāh of debt is due on the owner of the debt, for each year, if the debtor is solvent and giver.

2. Zakāh of debt is due on the owner of the debt, after the lapse of one year from the day of receipt if the debtor is insolvent or procrastinating. Indeed, Allāh is All-Knowing.

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### Resolution No. 2 (2/2) Zakāh on Real Estates and Leased Non-Agricultural Lands

The Council of the International Islamic Fiqh Academy of the Organization of the Islamic Conference, holding its 2nd session in Jeddah, Saudi Arabia on 10–16 Rabīʿ al-Ākhir 1406H (22–28 December January 1985),

HAVING LISTENED to the research papers submitted to the Academy concerning Zakāh on Real estates and Leased Non-Agricultural Lands, HAVING DISCUSSED the subject in-depth and in all aspects, IT BECAME EVIDENT THAT:

1. There is no clear Islamic text has been reported that mandates Zakāh on real estate and leased lands.
2. Likewise, there is no Islamic text has been reported that mandates immediate Zakāh on the yield of real estate and non-agricultural leased lands.

Resolves

1. Zakāh is not due on real estate assets and leased lands.
2. Zakāh is due and payable on its yield, which is one-fourth of the one-tenth (2.5%), after the elapsing of the one-year period from the date of its actual receipt if all other conditions are met and no impediments exist. Indeed, Allāh is All-Knowing.

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## Resolutions and Recommendations of the 2nd Session of the Council of the International Islamic Fiqh Academy

### Resolution No. 3 (3/2) Answering the Questions of the International Institute of Islamic Thought (IIIT) in Washington, D.C., USA

The Council of the International Islamic Fiqh Academy of the Organization of the Islamic Conference, holding its 2nd session in Jeddah, Saudi Arabia on 10–16 Rabīʿ al-Ākhir 1406H (22–28 December January 1985),

HAVING FORMED a committee comprising the members of the Academy to examine the questions received from the International Institute of Islamic Thought (IIIT) in Washington, D.C., USA, HAVING REVIEWED the answers prepared in this regard, IT BECAME EVIDENT THAT:

1. The answers have been concisely worded and are not convincing enough to eliminate dissension or rejection.
2. The Academy should endeavor to resolve difficulties facing our Muslim brothers and sisters living in the West.

Resolves

1. Commissioning the Secretariat General of the Academy to prepare detailed answers to these questions to whomsoever it deems suitable from among its members or experts. These should be substantiated by Shariah proofs and texts of earlier Muslim jurists and presented to the Council in a convincing and clear form.
  2. Commissioning the Secretariat General to report its findings to the third session of the Academy.
- In the Name of Allāh, the Entirely Merciful, the Especially Merciful  
Praise is due to Allāh, Lord of the worlds,  
may the blessings and peace be upon our  
master Muḥammad, the last of prophets,  
on his family, and all his companions.

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### Resolution No. 4 (4/2) Qadiyanism

The Council of the International Islamic Fiqh Academy of the Organization of the Islamic Conference, holding its 2nd session in Jeddah, Saudi Arabia on 10–16 Rabi‘ al-Ākhir 1406H (22–28 December January 1985),

HAVING CONSIDERED the fatwā inquiry submitted by the Islamic Fiqh Council of Cape Town, South Africa, requesting the Shariah ruling concerning Qadiyanism and the group originating from it, called the Lahorites, as to whether to consider them as Muslims or not and whether a non-Muslim can adjudicate on a controversy of this nature, IN THE LIGHT of the research papers and documents presented to the members of the Academy regarding Mirza Ghulam Ahmad al-Qadiyani, who appeared in India in the last century and to whom the Qadiyani and Lahorite sects are attributed, HAVING EXAMINED the facts presented concerning these two sects that verified Mirza Ghulam Ahmad’s claim to be a prophet sent and revealed upon, HAVING CONFIRMED the claims established about him through his writings, some of which he claims to be revelations sent to him, and that he continued to proclaim such a status all his life, calling people through his books and speeches to believe in his prophethood, and being a messenger and disbelieving in many of the obvious teachings of Islam such as the Jihād, HAVING RECALLED the resolution issued by the Islamic Fiqh Council of the Muslim World League in Makkah on this very issue,

Resolves

1. The declaration by Mirza Ghulam Ahmad concerning his prophethood and his claim of receiving a Divine Revelation is an open rejection of the obviously and categorically established religious doctrine

concerning the ending of the prophethood with Prophet Muhammad (SAW) and that there is no revelation after him. Therefore, the said declaration from Mirza Ghulam Ahmad makes him, along with all those who accept it, apostates (murtad), who have apostatized from Islam. As far as the Lahorites are concerned, they too, like the Qadiyanis are apostates (murtad) despite their description of Mirza Ghulam Ahmed as the shadow and incarnation of our Prophet Muhammad (SAW). 2. A non-Islamic court and a non-Muslim judge are not entitled to issue a judgment about someone’s being Muslim or apostate, particularly when they defy the consensus of Ummah represented by its councils and scholars. This is so because a judgment concerning Islam and apostasy is not recognizable except when it is issued by a Muslim who knows all the prerequisites for entering Islam or parting from it as an apostate and who has the grasp of the essence of Islam and disbelief and knows in depth what has been established by the Quran, Sunnah, and Ijmā‘ (legal consensus). Therefore, the decision of such a court is void. Indeed, Allāh is All-Knowing.

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### Resolution No. 5 (5/2) Test-Tube Babies (In-Vitro Fertilization)

The Council of the International Islamic Fiqh Academy of the Organization of the Islamic Conference, holding its 2nd session in Jeddah, Saudi Arabia on 10–16 Rabi‘ al-Ākhir 1406H (22–28 December January 1985),

HAVING REVIEWED the studies presented by the learned scholars and physicians concerning the issue of Test-Tube Babies from medical, technical, and jurisprudential perspectives, HAVING DISCUSSED these studies and other issues raised to elucidate the subject, IT BECAME EVIDENT that the subject needs further medical and legal studies and a review of the past studies and research to have a complete understanding of all its aspects, Resolves

FIRST: Postpone the issuance of a resolution on this subject to the next session of the Academy. SECOND: Commission H.E. Sheikh Dr. Bakr bin Abdullah Abu Zayd, President of the Academy, to conduct an in-depth study on the matter covering all its legal and medical aspects. THIRD: Convey his findings to all Academy’s members through the Secretariat General of the Academy at least three months before the next session. Indeed, Allāh is the Giver of success.

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### Resolution No. 6 (6/2) Human Milk Banks

The Council of the International Islamic Fiqh Academy of the Organization of the Islamic Conference, holding its 2nd session in Jeddah, Saudi Arabia on 10–16 Rabīʿ al-Ākhir 1406H (22–28 December January 1985),

HAVING REVIEWED the two jurisprudential and medical studies submitted to the Academy, HAVING EXAMINED AND DISCUSSED in-depth the two studies concerning the different aspects of the issue, IT BECAME EVIDENT THAT: FIRST: The concept and experiment of human milk banks are a new phenomenon initiated in the Western nations; however, in its practice, certain scientific and technical adverse effects were detected, thus causing a decline in its use and lack of interest in it. SECOND: To Islam, breastfeeding creates a bond similar to a lineage bond and forbids, according to the consensus of Muslim scholars, precisely the same due to actual lineage relationship. One of the objectives of Shariah is to safeguard the progeny of a person, whereas milk banks lead to confusions and doubts. THIRD: The social structure in the Muslim world is such that it can fulfill the needs of a premature or a weak child who is in lack of natural breastfeeding from human milk (in some exceptional cases), thus eliminating the dependency on human milk banks. Resolves

FIRST: The establishment of milk banks should be prohibited in the Muslim world. SECOND: It is prohibited to feed a Muslim child with milk from these banks. Indeed, Allāh is All-Knowing.

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### Resolution No. 7 (7/2) Life-Support Equipment

The Council of the International Islamic Fiqh Academy of the Organization of the Islamic Conference, holding its 2nd session in Jeddah, Saudi Arabia on 10–16 Rabīʿ al-Ākhir 1406H (22–28 December January 1985),

HAVING EXAMINED the medical and jurisprudential studies presented concerning Life-Support Equipment, HAVING LISTENED to the in-depth discussions and questions raised, particularly in relation to issues of life and death, due to the direct effect of disconnecting the life-support equipment from the patient, HAVING NOTED THAT several aspects of the subject remain to be clarified, HAVING CONSIDERED that the comprehensive study on the subject made by the Islamic Organization for Medical Sciences of Kuwait should be taken as a reference, Resolves

FIRST: To postpone the issuance of a resolution on this subject to the next session of the Academy. SECOND: To entrust the Secretariat General of the Academy to compile all studies and resolutions of the Islamic Organization for Medical Sciences of Kuwait and provide the Academy's members with a clear and specific summary. Indeed, Allāh is the Giver of success.

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### Resolution No. 7 (7/2) Life-Support Equipment

The Council of the International Islamic Fiqh Academy of the Organization of the Islamic Conference, holding its 2nd session in Jeddah, Saudi Arabia on 10–16 Rabīʿ al-Ākhir 1406H (22–28 December January 1985),

HAVING EXAMINED the medical and jurisprudential studies presented concerning Life-Support Equipment, HAVING LISTENED to the in-depth discussions and questions raised, particularly in relation to issues of life and death, due to the direct effect of disconnecting the life-support equipment from the patient, HAVING NOTED THAT several aspects of the subject remain to be clarified, HAVING CONSIDERED that the comprehensive study on the subject made by the Islamic Organization for Medical Sciences of Kuwait should be taken as a reference, Resolves

FIRST: To postpone the issuance of a resolution on this subject to the next session of the Academy. SECOND: To entrust the Secretariat General of the Academy to compile all studies and resolutions of the Islamic Organization for Medical Sciences of Kuwait and provide the Academy's members with a clear and specific summary. Indeed, Allāh is the Giver of success.

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### Resolution No. 8 (8/2) Questions of the Islamic Development Bank

The Council of the International Islamic Fiqh Academy of the Organization of the Islamic Conference, holding its 2nd session in Jeddah, Saudi Arabia on 10–16 Rabi' al-Ākhir 1406H (22–28 December January 1985),

HAVING LISTENED to the presentation of the Islamic Development Bank (IDB), which consisted of several questions and queries, HAVING LISTENED to the report of the sub-committee established during this session, composed of members who had submitted their answers to the issues, and to the answers of other participants, HAVING NOTED that the subject needs a more comprehensive and thorough study, requiring further communication and consultation with the IDB through a committee that it will create to discuss these issues, Resolves

1. To postpone this subject to the next session.
2. To request the IDB to submit a report of its Shariah Board. Indeed, Allāh is the Giver of success.

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### Resolution No. 9 (9/2) Insurance and Reinsurance

The Council of the International Islamic Fiqh Academy of the Organization of the Islamic Conference, holding its 2nd session in Jeddah, Saudi Arabia on 10–16 Rabi' al-Ākhir 1406H (22–28 December January 1985),

HAVING REVIEWED the presentations of the participating scholars concerning Insurance and Reinsurance, HAVING DISCUSSED the studies presented and examined all the forms, types, and principles on which insurance and reinsurance are based, and their objectives and aims, HAVING CONSIDERED the resolutions of other Fiqh Academies and Islamic Councils in this regard, Resolves

FIRST: The commercial insurance contract with a fixed periodical premium, which commercial insurance companies commonly use, is a contract that contains major elements of deceit that void the contract and is therefore prohibited by Shariah. SECOND: The alternative contract, which is compliant to Shariah, is the contract of cooperative insurance, founded on the basis of charity and cooperation. Similarly, it is a case of reinsurance based on the principle of cooperative insurance. THIRD: Calling on Muslim countries to work towards establishing cooperative insurance institutions and cooperative entities for reinsurance to liberate Islamic economy from exploitation and end violating the system that Allāh has chosen for this Ummah. Indeed, Allāh is All-Knowing.

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### Resolution No. 10 (10/2) Rulings on Usury-based Bank Transactions and Dealing with Islamic Banks

The Council of the International Islamic Fiqh Academy of the Organization of the Islamic Conference, holding its 2nd session in Jeddah, Saudi Arabia on 10–16 Rabi' al-Ākhir 1406H (22–28 December January 1985),

HAVING EXAMINED different studies submitted to the Academy concerning contemporary financial transactions, HAVING DISCUSSED in depth all aspects, highlighting that these transactions have a negative impact on the international economic order and stability, especially with regard to third-world countries, HAVING RECALLED the destructive effects of the said system, due to its deviation from directives of the Quran, which clearly prohibits ribā (usury), be it total or partial, commands us to repent from it, permits us to recover only the loan principal, no more and no less, whether it is a large amount or a small one, and warns us of the retributions of Allāh and His Prophet against usurers, Resolves

FIRST: Any increase or interest on a matured debt in exchange for an extension of the maturity date, and in case the borrower is unable to pay and the increase (or interest) on loan at the inception of its agreement are both forms of usury, which are therefore prohibited in Shariah. SECOND: An alternative that ensures cash flow and financial support for economic activities in a form acceptable to Islam is trading with each other in conformity with Shariah provisions. THIRD: The Academy emphasizes the call to the governments of Muslim countries to encourage financial institutions that operate in accordance with the principles of Shariah, in order



to meet the needs of Muslims, so that a Muslim will not have to live in a contradiction between the requirements of his faith and the realities of life. Indeed, Allāh is All-Knowing.

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### Resolution No. 11 (11/2) Unification of the Beginning of Lunar Months

The Council of the International Islamic Fiqh Academy of the Organization of the Islamic Conference, holding its 2nd session in Jeddah, Saudi Arabia on 10–16 Rabīʿ al-Ākhir 1406H (22–28 December January 1985), HAVING EXAMINED the research

papers of the Academy's members and experts concerning the Unification of the Beginning of the Lunar Months, HAVING DISCUSSED the studies presented on the subject, HAVING LISTENED to several opinions concerning the use of astronomical calculations for the beginning of lunar months, Resolves

FIRST: To entrust the Secretariat General of the Academy with providing documented scientific studies and documentation conducted by qualified experts in astronomy and meteorology. SECOND: To include the topic of the "Unification of the Beginning of the Lunar Months" in the next session's agenda, in view to completing research from the two perspectives, namely technical and jurisprudential. THIRD: To Entrust the Secretariat General of the Academy to assign a sufficient number of scientists and experts to cooperate with scholars to comprehensively highlight the various aspects of the subject to enable the

Academy to issue a resolution in this regard. Indeed, Allāh is the Giver of success.

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### Resolution No. 12 (12/2) The Letter of Guarantee

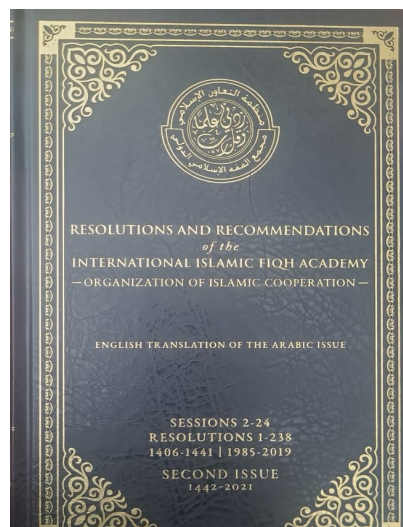
The Council of the International Islamic Fiqh Academy of the Organization of the Islamic Conference, holding its 2nd session in Jeddah, Saudi Arabia on 10–16 Rabīʿ al-Ākhir 1406H (22–28 December January 1985),

HAVING EXAMINED the research papers submitted to the Academy concerning the Letter of Guarantee, HAVING LISTENED to the in-depth discussions on the subject, IT BECAME CLEAR THAT: FIRST: Any letter of guarantee, whether initial or final, is either with or without a covering. If it is without a covering, then the guarantor is considered to have jointly pledged along with the third party, both in performance and financial terms. This type of pledge is, in fact, what is referred to as "guarantee or collateral" in Islamic Fiqh. If, on the other hand, the letter of guarantee has a cover, the relationship between the applicant of the guarantee and its issuer

is that of an agency; and an agency may exist with or without a fee, tied with the bond of surety in favor of the beneficiary in whose benefit the guarantee is issued. SECOND: The guarantee (kafālah) is a benevolent contract motivated by grace and mercy. The jurists have decided against taking a fee for issuing guarantees; the reason is that, in the event of a guarantor's payment of the guaranteed sum, it will akin to a loan-generated profit to the lender, which is forbidden in Shariah. Resolves

FIRST: It is not permissible to charge a fee for the issuance of the letter of guarantee (in which, customarily, the amount and the period of guarantee are considered) whether it is with or without a coverage. SECOND: The administrative expenses for issuing a letter of guarantee of both kinds are permissible by Shariah, provided that they do not exceed the actual costs for the services of the same kind. In the case where a partial or total coverage is presented, it is permissible to take into account – when an estimate of the expenses has been determined – the possible effort that might be required to provide the coverage. Indeed, Allāh is All-Knowing.

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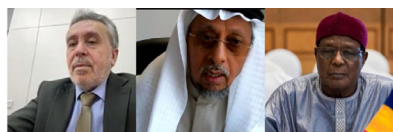
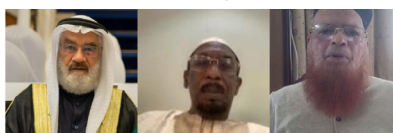






## Secretary General of OIC commends IIFA's Contributions to Jeddah Document on Women in Islam

Chaired by H.E. Mr. Hissein Ibrahim Taha, the Secretary-General of the Organization of Islamic Cooperation and the Chairman of the Academy's Bureau, the second meeting of the Bureau for 2023 was held on Thursday, 15 Jumada Al-Akhira 1445, corresponding to 28 December 2023. The meeting was held via videoconferencing and was attended by esteemed members, including H.E. Sheikh Dr. Saleh bin Abdullah bin Humaid, President of the Academy, and the Deputy Chairman of the Bureau, H.E. Prof. Koutoub Moustapha Sano, the Secretary-General of the Academy and Secretary of the Bureau. In attendance were also members of the Bureau, including prominent figures such as Sheikh Taqi Usmani, Dr. Abu Bakr Doukouri, Prof. Ajil Jassim al-Nashmi, Dr. Ahmed al-Haddad, and Dr. Murtada Badr. During the meeting, the Secretary-General of the OIC extended a warm welcome to the esteemed members of the Bureau, acknowledging the invaluable guidance by the President of the Academy. He commended the President's dedicated efforts to pursue the noble objectives for which the Academy was established. His Excellency also expressed his gratitude and appreciation for the exceptional leadership of the Academy's Secretary-General in advancing the Academy's mission through the implementation of its programs and activities.



Particular praise was given to the Academy's outstanding contribution to the elaboration of the Jeddah Document on the role and rights of women in Islam. This document was formulated during the global conference organized by the OIC with the Ministry of Foreign Affairs of the Kingdom of Saudi Arabia in November 2023, under the gracious patronage of His Majesty King Salman bin Abdulaziz, May Allah bless him. He also expressed his gratitude for the great efforts of the Academy during the visit of



H.E. Dr. Rayan Khalil Tawfiq  
Representative member of the Republic of Iraq



scholars of the Ummah to Afghanistan under the leadership of the Academy to engage the Afghani Authorities on the issue of the education of girls and work of women in the development of their nation. His Excellency expressed his strong desire for the first meeting of the Bureau in 2024 to be held in person, aiming to reunite and engage with the esteemed members of the Bureau once again. Accordingly, His Eminence Sheikh Dr. Saleh bin Humaid, President of the Academy, extended a warm welcome to the Secretary-General of the OIC and the participating members, expressing gratitude for their continuous participation and unwavering support for the Academy. He conveyed the Academy's profound appreciation to the Custodian of the Two Holy Mosques, King Salman bin Abdulaziz Al Saud, and His Royal Highness Crown Prince Mohammed bin Salman bin Abdulaziz Al Saud, the Prime Minister. May Allah protect them for their generous care and unwavering support to the Academy since its inception. The President of the Academy also acknowledged the Moroccan government's request to postpone hosting the 26th Academy session in Rabat due to a recent earthquake and assured that the session would be hosted in the following year, praying for the wellness of the Kingdom of Morocco, its king, government, and people. Concluding his remarks, the President acknowledged the remarkable success of the Secretariat General in collecting mandatory



H.E. Dr. Abdellatif Elmor  
Appointed member representing the Islamic  
Organization for Medical Sciences



financial contributions and overdue payments from member countries, achieving a collection rate of 72%, the highest in the Academy's history since its establishment. The President also renewed his gratitude to Morocco for its willingness to host one of the upcoming Academy sessions. On his part, the Secretary-General of the Academy conveyed his utmost thanks to the host country, the Kingdom of Saudi Arabia, its leadership, and its people, for their exceptional support and services to the Academy since its establishment. Their support has enabled the Academy to smoothly organize its activities, programs, and projects. His Excellency also expressed profound appreciation to the Secretary-General of the OIC as well as to the President of the Academy for their guidance and relentless efforts in supporting the Academy. The agenda also featured discussions on nominations submitted by some countries for new Academy members, as well as a financial report on member countries' contributions to the Academy's current-year budget. The meeting approved the membership of two new members in the Academy, namely Sheikh Dr. Ahmad Mublaghi, representing the Islamic Republic of Iran, and Sheikh Dr. Tawfiq Riyan, representing the Republic of Iraq. Additionally, the Bureau approved the appointment of Dr. Abdul Latif Al-Mar as a special member representing the Islamic Organization for Medical Sciences.



Sheikh Dr. Ayatollah Ahmad Mobarlegi  
Representative member of the Islamic Republic of Iran

## Secretary General of Academy receives Jordanian Minister of Islamic Affairs



H.E. Dr. Muhammad Ahmad Al-Khalayleh, Minister of Islamic Affairs, Awqaf, and Holy Places of the Hashemite Kingdom of Jordan, and his accompanying delegation, paid a courtesy visit to the IIFA's headquarters in Jeddah on Monday, 26 Jumada al-Akhirah 1445, corresponding to 8 January 2024. They were received by H.E. Prof. Koutoub Moustapha Sano, Secretary General of the Academy. His Excellency the Minister expressed his sincere thanks to the Secretary General of the Academy for the warm welcome and expressed his honor for visiting the Academy,

which is considered the leading jurisprudential authority for Muslims worldwide, stressing IIFA's enormous efforts, and what has been achieved at all levels since H.E. Prof Sano assumed office, particularly with regard to direct and continuous communication with Member States and their leading scientific institutions, wishing him more success and prosperity. For his part, His Excellency the Secretary General welcomed His Excellency, thanked him for this generous visit and thanked him for his readiness to constantly communicate and coordinate with the Academy on topics and

issues of interest to Muslims, and to strengthen the relations of cooperation, coordination, and communication between the Academy and the Ministry. Additionally, both sides discussed ways of strengthening strategic partnerships between the Academy and Member States, particularly in joint seminars, conferences, and workshops on current issues and developments. The meeting was attended by Ambassador Muhammad Salah Subhi Hamid, Consul General and new Permanent Representative of the Hashemite Kingdom of Jordan to the Organisation of Islamic Cooperation, Mr Ziad Hamdan Al-Baik, Director of the Office of the Jordanian Minister Awqaf, Mr Moez Al-Riahi, Director of Financing and Projects, and Mr Amjad Al-Mansi, head of IIFA's protocol division at the Academy.



## Secretary General of Academy receives Sudanese Minister of Religious Affairs

H.E. Prof. Koutoub Moustapha Sano, Secretary General of IIFA, received H.E. Dr. Osama Hassan Muhammad Ahmed, Minister of Religious Affairs and Awqaf of the Republic of Sudan, and the accompanying delegation, on Tuesday 27 Jumada al-Akhirah 1445, corresponding to 9 January 2024, at IIFA's headquarters of the Academy in Jeddah. At the beginning of the meeting, His Excellency the Minister expressed his deepest appreciation and gratitude to the Secretary General for the warm reception and welcome extended to him, and his honor to visit



this distinguished scientific institution, which is considered the leading jurisprudential reference for Muslims worldwide. He then expressed his satisfaction at the qualitative developments at all levels, particularly regarding strengthening cooperation with scientific institutions, notably



the Academy of Islamic Fiqh in Sudan, and the implementation of the memorandum of cooperation signed between the two academies. For his part, the Secretary General welcomed his guest again, thanked him for this visit, and expressed his regret for what is happening in the sisterly country, the Republic of Sudan, in the light of these painful and unfortunate events, praying to Allah to spare blood, and for harmony, reconciliation, and stability to return to the country in the near future. He also expressed his confidence in regional and international mediation efforts to enable Sudan to continue its efforts toward development and prosperity. His Excellency concluded his speech by reiterating the Academy's sincere thanks and great appreciation to the Republic of Sudan for its continuous and ongoing support to the Academy,

since its inception to the present day. His Excellency made special mention of the efforts of the eminent Sudanese academics who have contributed to the advancement of the Academy, starting with H.E. Prof. Ahmed Khaled Babeker, former Secretary General of the Academy, and H.E. Sheikh Dr Al-Siddiq Muhammad Al-Amin Al-Darir, among others. The meeting was attended by Sudan's Ambassador Muhammad Hassan Muhammad Ali, Acting Consul General, Dr. Muhammad Abdel Wahab, Secretary of the Hajj and Umrah Secretariat, and Mr Khaled Abu Bakr, Resident Coordinator for Hajj and Umrah in Saudi Arabia, as well as by Dr. Abdulfatah Abnaouf, Director of Planning and international cooperation, Mr Mohamed Walid Al-Idrisi, Director of Media and Public Relations, and Mr Moez Al-Riahi, Director of Finance, Investments and Projects at the Academy.





## Minister of Islamic Affairs of the Republic of Maldives visits IIFA



H.E. Dr Muhammad Shaheem Ali Saeed, Minister of Islamic Affairs of the Republic of Maldives, paid a visit to the Secretariat General of IIFA in Jeddah on Tuesday, 27 July 1445, corresponding to 9 January 2024. Upon his arrival, H.E. Prof. Koutoub Moustapha Sano, Secretary General of IIFA, received His Excellency. His Excellency the Minister expressed his thanks to the Secretary General for his warm welcome, and his great pleasure at visiting the Academy, which is the leading jurisprudential reference for the OIC's Member states and Muslim communities outside the Muslim world. His Excellency also expressed his immense pleasure for being one of His Excellency's students while studying for his doctorate at the International Islamic University

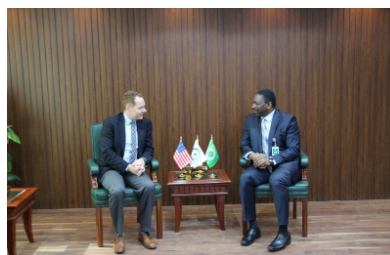
of Malaysia. His Excellency then expressed his firm desire to strengthen the ties of cooperation and communication between the Academy and the scientific and intellectual institutions of the Maldives, under the leadership of the Ministry of Islamic Affairs, in order to spread moderation, combat extremism, and promote moderation, tolerance, and openness within Maldivian society. In response to this desire, His Excellency proposed that the Academy sign a cooperation agreement with the Ministry in order to define the areas of cooperation and coordination between the two parties, particularly with regard to the study of contemporary issues and developments within the Republic of Maldives. His Excellency concluded his speech by expressing the hope that

the Republic of Maldives would host one of the next sessions of the Academy. His Excellency also expressed the IIFA's sincere thanks and gratitude to the Republic of Maldives for its continued support to IIFA since its foundation until today, reassuring his guests that the Academy was fully prepared to provide all forms of intellectual support to all Maldivian scientific and religious institutions active in spreading moderation and tolerance. His Excellency stressed that the Academy wishes that the Republic of Maldives hosts one of the Academy's future sessions and seminars. The meeting was attended by H.E. Mr Ali Ehsan, Undersecretary for Islamic Affairs, H.E. Mr Mohamed Rameez, First Secretary at the Maldivian Consulate in Jeddah, Mr Ahmed Ressim, Political Director and Secretary to the Minister, and Sojo Hameed Edikam, Head of Islamic Affairs at the Ministry. On the side of IIFA, the meeting was attended by Mr. Moez Al-Riyahi, Director of Projects and Investments, and Mr. Muhammad Walid Al-Idrissi, Director of Media and Public Relations.



## Counselor For Political Affairs at the U.S Embassy in Riyadh visits IIFA

H.E. Mr Andrew McDonald, Counselor for Political Affairs at the Embassy of the United States of America in Saudi Arabia, accompanied by Mr. Sayed Rizk, Political Expert at the American Consulate in Jeddah and Mrs. Fatima Martin, Deputy Consul for Political and Economic Affairs at the Consulate General in Jeddah, visited the headquarters of the Secretariat General of IIFA in Jeddah. On Tuesday 27 Jumada al-Akhirah 1445, corresponding to 9 January 2024. The Secretary General welcomed Mr Andrew and his delegation, thanked them for their visit, and gave them an overview of the Academy's vision, mission and efforts in promoting the values of moderation, coexistence and dialogue between followers of religions, as well as its initiatives in defending women's right to education and participation in renaissance and development within the OIC's Member states and in Muslim communities. He also spoke about the scientific symposium that the Academy plans to organize on the theme of the role of the religious leaders in combatting violence against women in the Muslim world,



calling on specialized American associations and institutions to participate in this symposium. He concluded his speech by expressing the OIC's aspiration that the United States fulfills its historic role in forcing the Zionist entity to put an end to its brutal attacks against the Palestinian people in Gaza and all occupied Palestinian cities and to work for the implementation of the United Nations resolutions on the two-states solution. For his part, the U.S. Embassy's Political Affairs Counselor expressed his thanks to the Secretary General for the warm welcome, and for the additional information on IIFA's vision, mission and objectives, which are broadly in

line with the core values of the United States of America. He also stressed the importance of continuing to cooperate in order to spread common values in all areas, including religious freedom, women's education and preserving minority rights. He thanked the Secretary General for his efforts in resolving the crisis of girls' education in Afghanistan, his support in the fight against extremism and fanaticism, and the promotion of human brotherhood in the world. The meeting was attended by Mr Al-Moez Abdel Razzaq Al-Riahi, Director of Finance, Investments and Projects, and Mr Muhammad Walid Al-Idrissi, Director of Media and Public Relations.



## Delegation from Fatwa and Halal Institute of Universiti Sains Islam Malaysia visits



Aiming to enhance cooperation, partnership, and coordination with the scientific and religious institutions of the OIC Member States, a delegation from the Fatwa and Halal Institute of Universiti Sains Islam Malaysia visited the International Islamic Fiqh Academy (IIFA) on Monday 12 Jumada al-Akhira 1445, corresponding to 25 December 2023. The delegation, which included several lecturers from the institute, was received by Mr Mohamed Mondher Chouk, Acting Secretary General of IIFA and Director of the Cabinet and Protocols. Mr Mondher Chouk welcomed and thanked the delegation for their visit, on behalf of the Secretary General of the Academy, H.E. Prof. Koutoub Moustapha Sano, and conveyed to them his best greetings and wishes, stating that this type of visit demonstrates the delegation's willingness to benefit from IIFA and its resolutions. The delegation then watched a short documentary film, which presented an

overview of IIFA's history, vision, mission, objectives, and activities, as well as its central scientific role and its contributions to Islam and Muslims through its scientific conferences and specialized seminars. For his part, H.E. Dr. Irwan Muhammad Sabry, head of the delegation, expressed his thanks for the warm welcome extended to the delegation and for the opportunity to visit this eminent academic institution, regarded as the leading jurisprudential reference in the Muslim world, underlining the reputation and prominence of the IIFA because of the services it renders to the Ummah by issuing resolutions, recommendations and declarations. H.E. Dr. Irwan Sabry also presented the delegation and introduced the Fatwa and Halal Institute, which aims to develop and promote scientific talent in the field of fatwa and halal by encouraging research, innovation and consultation, and strengthening partnership in the development of Islamic products and services, as well as in the education of Muslim societies on fatwa and halal. His Eminence expressed the desire of the delegation to request the Secretary General of IIFA to give them in the near future a lecture on the role of the IIFA and its methodology in issuing fatwas, in order to make the most of

its resolutions and recommendations which guide and respond to general and specific issues of concern to Muslims. Mr Mondher Chouk then gave the floor to delegation members to express their thoughts and submit their questions relating to the IIFA's resolutions and recommendations concerning the halal industry. At the end of the visit, the delegation toured the IIFA's departments and divisions, to know IIFA better and how it works. IIFA's most significant publications were distributed to delegation in order to benefit from its scientific achievements and gain an insight into its various activities and projects. The meeting was also attended by Dr. Ismail Cebeci, Head of Encyclopedias and Glossaries Dept, Mohamed Walid Al-Idrissi, Director of Media and Public Relations Dept, and Mrs. Sarah Hussein Bedewi, Director of Family, Women and Children Dept.



## IIFA mourns Mr. Mahmoud Muhammad Sanad, may Allah shower him with mercy



"O reassured soul \* Return to your Lord, well-pleased and pleasing \* Join with My [righteous] servants \* And enter My Paradise" Al-Fajr, 27-30. It is with great sadness that the Secretariat General of International Islamic Fiqh Academy (IIFA) received the news of the passing away of Mr. Mahmoud Muhammad Sanad, a former employee of the Academy, who left behind a good impression and an example to emulate in the dedication and sincerity of his work during his service at the Academy, which spanned three decades. On this sad occasion, the International

Islamic Fiqh Academy (IIFA), its presidency, Secretariat General and staff, present their sincere condolences and heartfelt sympathy to the family of the deceased, his relatives and beloved, praying Allah to shower him with His mercy, pardon him and welcome him in the Paradise with the prophets, the truthful, the martyrs, the virtuous and good companions. To Allah we belong and to Him we shall return.

Secretariat General of  
the International Islamic Fiqh Academy

## IIFA participates in Celebration of World Arabic Language Day

H.E. Mr. Abdullah bin Omar Al-Tamimi, Director of the Department of Conferences and Seminars at the International Islamic Fiqh Academy (IIFA), represented the Academy at the program, "Celebrating World Arabic Language Day at the Organization of Islamic Cooperation (OIC)," on January 14, 2024, in Jeddah. The event was organized by the OIC in collaboration with the King Salman International Arabic Language Academy. H.E. Mr. Hussein Ibrahim Taha, Secretary General of the OIC, inaugurated

the event with a speech in which he expressed gratitude to the Kingdom of Saudi Arabia for its unwavering support to the OIC. He emphasized the significance of the Arabic language as the language of the Holy Qur'an and its central role in Islamic worship. He also highlighted the importance of celebrating World Arabic Language Day to bolster its presence in regional and international forums. The celebration featured panel discussions, a poetry session featuring poets from OIC member states, and an exhibition



showcasing Arabic poetry. These activities underscored the vital role of the Arabic language in building global civilization.

### 37th Monthly Meeting of Academy's Personnel

H.E. Prof. Koutoub Moustapha Sano, Secretary General of IIFA, chaired the thirty-seventh monthly meeting of the Academy's personnel on Sunday, 25 Jumada al-Akhirah, 1445, corresponding to 7 January 2024. His Excellency began the meeting by welcoming the participants, congratulating everyone on the new year, and expressing his hope that this year would be full of achievements and success for IIFA, as the previous one had been. On this occasion, His Excellency called on everyone to increase their efforts and strive for excellence in their duties so that the new year 2024 will be better than last year. His Excellency then spoke of his recent visit to Malaysia and his meeting with the Honourable Prime Minister, Mr Anwar

Ibrahim, to strengthen joint Islamic action, support the bonds of brotherhood between Islamic peoples, and consider the possibility of Malaysia hosting one of the annual sessions of IIFA. His Excellency also met with the Malaysian Minister of Religious Affairs, Dr Dato Muhammad Mukhtar, who expressed the desire of Malaysian scientific and religious institutions in general, and the Malaysian Islamic Development Authority (JAKIM) in particular, to strengthen cooperative and partnership relationship with IIFA in various fields. His Excellency listened with great interest and focus to their comments and suggestions. The meeting reviewed previous decisions and issued new decisions, namely:

- Process and print IIFA newsletters



in three languages for the last three years and distribute them to all OIC-affiliated delegations.

- Contact the specialized technician to check the entrance door and take all security measures for the IIFA building.

### 117th Weekly Meeting of Departments



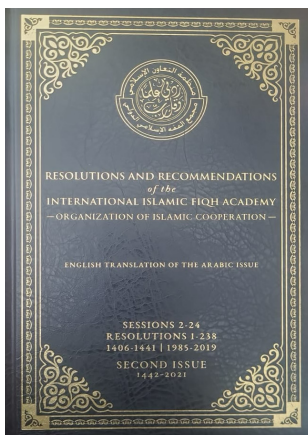
H.E. Prof. Koutoub Moustapha Sano, Secretary General of IIFA, chaired the 117th weekly meeting of directors of IIFA's department on Monday, 27 Jumada al-Akhirah, 1445, corresponding to 8 January 2024. His Excellency welcomed participants and expressed his condolences to our colleague Mr. Mahmoud Muhammad Sanad,

a former employee of the Academy. He then listed the deceased's achievements through his dedication to his work during his service to the Academy, which spanned three decades. His Excellency then spoke of the importance of the newsletter, which is a mirror of IIFA and a link between the Secretariat General of IIFA and OIC's members, experts, and its permanent delegations. His Excellency then spoke of the need to draw up an integrated plan for holding the next session of the Academy this year while stressing the importance of starting preparations by contacting a number of scientific and banking institutions with which the General Secretariat of the Academy has signed cooperation agreements. On

this occasion, His Excellency emphasized that the priority for organizing the session remains on the shoulders of Member States and that if this is not possible, it could be necessary to seek strategic partners from the private sector. The meeting reviewed previous decisions and issued new decisions, namely:

- Submit a list of topics postponed from previous IIFA sessions for inclusion in future sessions.
- Submit a report on the translation of IIFA's book of resolutions into various languages and a special report on the progress of the Turkish translation.

### A Brief Introduction to the Resolutions of the IIFA



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 humanity that will remain forever on earth.





## Resolutions and Recommendations of the 3rd Session of the Council of the International Islamic Fiqh Academy Amman Hashemite Kingdom of Jordan

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. 13 (1/3) Answering the Questions of the Islamic Development Bank

The Council of the International Islamic Fiqh Academy of the Organization of the Islamic Conference, holding its 3rd session in Amman, Hashemite Kingdom of Jordan, on 8–13 Şafar 1407h (11–16 October 1986), Having conducted extensive study and in-depth discussions on the questions submitted by the Islamic Development Bank (IDB) to the Academy, Resolves

1. Service Fee for IDB Loans
2. It is permissible to charge a fee for loan-related The said fee should be within the limit of the actual expenses.
3. Any fee in addition to the actual service-related expenses is prohibited because it is considered as ribā (usury).

2. Lease Transactions  
First: The IDB's promise to lease the equipment to the client, after it has owned it, is acceptable according to Shariah. Second: The appointment, by the IDB, of one of its clients as its agent, for the purchase, in the name of the Bank, of equipment and tools, of given specifications and price, with the intention for the Bank to lease the purchased items to this client after

the latter has received them, is a Shariah-acceptable agency appointment. However, it is preferable that the purchasing agent be different from the beneficiary client if this condition can be easily met. Third: The lease agreement should be implemented after the actual acquisition and possession of the equipment and should be in a separate contract than the agency contract or the promise. Fourth: The promise to give away the equipment at the end of the lease period is permissible if such a promise is made under a separate contract. Fifth: The risk of loss and manufacturing defects rests with the Bank, in its capacity as the equipment owner, unless it is due to deliberate tampering or negligence by the lessee, in which case, the liability will rest with him. Sixth: The insurance premium, contracted as far as possible through Islamic Insurance Companies, is to be borne by the Bank.

1. Future Sales on Installments  
First: The IDB's promise to sell the equipment to the client, after it has owned it, is acceptable according to Shariah. Second: The appointment by the IDB of one of its clients as its agent for the purchase, in the name of the Bank, of equipment and tools, of given specifications and price, with the intention for the Bank to sell the purchased items to this client after the latter has received them, is an acceptable appointment according to Shariah. However, it is preferable that the purchasing agent be different from the beneficiary client if this condition can be easily met. Third: The sale agreement must be concluded after the actual acquisition

and reception of the equipment and must be entered into by a separate contract.

1. Foreign Trade Financing  
The principles applicable to these transactions are the same as those applicable to deferred sales in installments.  
1. Using Interests generated by Deposits that IDB is required to deposit at Foreign Banks  
It is prohibited on the Bank to use the interests earned on its deposits in foreign banks to protect the actual value of its assets from the effects of currency fluctuation. Therefore, the said interest amount should be spent on general welfare, such as training, research, helping those in need, and providing financial and technical assistance to Member states. Furthermore, it may be given to academic establishments, institutes, schools, and anything associated with disseminating Islamic knowledge.  
Indeed, Allāh is All-Knowing.

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### Resolution No. 14 (2/3) Zakāh on Company Shares

The Council of the International Islamic Fiqh Academy of the Organization of the Islamic Conference, holding its 3rd session in Amman, Hashemite Kingdom of Jordan, on 8–13 Şafar 1407h (11–16 October 1986), Having discussed the subject of Zakāh on Company Shares in all its aspects, Having examined the research submitted on the subject, Resolves

To postpone the issuance of a resolution on this issue until the Academy's fourth session.

Indeed, Allāh is All-Knowing.

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## Resolution No. 15 (3/3) Investment of Zakāh Funds in Profit- Generating Projects without Attributing Individual Ownership to Recipients

The Council of the International Islamic Fiqh Academy of the Organization of the Islamic Conference, holding its 3rd session in Amman, Hashemite Kingdom of Jordan, on 8–13 Šafar 1407h (11–16 October 1986), Having examined the research papers submitted concerning the Investment of Zakāh Funds in Profit-Generating Projects without Attributing Individual Ownership to Recipients, Having listened to the discussions of the Academy's members and experts on the subject, Resolves

It is permissible, in principle, to use Zakāh funds in investment projects that are eventually owned by those who are deserving of Zakāh, or which are under the control and administration of the entity that is responsible and has the jurisdiction over collecting and distributing Zakāh, provided that it is done after fulfilling the basic and immediate needs of the recipients and providing proper guarantees to avoid loss.

Indeed, Allāh is All-Knowing.

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## Resolution No. 16 (4/3) Test-Tube Babies (In Vitro Fertilization)

The Council of the International Islamic Fiqh Academy of the Organization of the

Islamic Conference, holding its 3rd session in Amman, Hashemite Kingdom of Jordan, on 8–13 Šafar 1407h (11–16 October 1986), Having examined the research papers submitted to the Academy concerning Test-Tube Babies (In Vitro Fertilization), Having listened to and discussed the explanations of experts and medical doctors, It became evident that seven known methods are currently used for artificial insemination.

Resolves

1. The first five (5) methods are all and absolutely prohibited for their own sake or due to ensuing consequences manifested in the confusion of parenthoods (ikhtilāṭ al-ansāb), loss of motherhood, as well as other matters prohibited by These methods include:

1. Fertilization taking place in-vitro between the semen taken from the husband and the ovum taken from a woman who is not his wife, and the fertilized ovum being then planted in his wife's

2. Fertilization taking place in-vitro between the semen taken from a man who is not the husband and the ovum taken from the wife, and the fertilized ovum being then planted in the wife's

3. Fertilization taking place in-vitro between the semen and the ovum taken from the respective spouses. The fertilized ovum is then planted in the womb of a volunteer woman.

4. Fertilization taking place in vitro between the semen and the ovum taken from two strangers. The fertilized ovum is then planted in the wife's womb.

5. Fertilization taking place in vitro between the semen and the ovum taken from the respective spouses. The fertilized ovum is then planted in the womb of the husband's other

1. However, there is no Shariah restriction on the following sixth or seventh methods, in case of necessity, provided that all the necessary

precautions are These two methods are:

2. In-vitro fertilization of a wife's ovum by her husband's semen and the implantation of the fertilized ovum in the womb of this same

3. External insemination, by taking the semen of a husband and injecting it into the appropriate place in the womb or uterus of his wife for internal fertilization. Indeed, Allāh is All-Knowing.

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## Resolution No. 17 (5/3) Life-Support Equipment

The Council of the International Islamic Fiqh Academy of the Organization of the Islamic Conference, holding its 3rd session in Amman, Hashemite Kingdom of Jordan, on 8–13 Šafar 1407h (11–16 October 1986), Having reviewed all aspects raised concerning Life-Support Equipment, Having listened to the in-depth explanations of medical specialists, Resolves

According to Shariah, a person is considered deceased, and all Shariah rulings pertaining to death become effective if he or she shows one of the following two signs:

1. Complete cardio-respiratory arrest and confirmation by physicians that such an arrest is irreversible.

2. Cessation of all brain activity and confirmation by physicians that such cessation is irreversible and that the brain has entered a state of In these circumstances, the person may be weaned from the life-support equipment, even though some of the organs in his or her body, such as the heart, continue to function artificially through the life-support equipment. Indeed, Allāh is All-Knowing.

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## Resolution No. 18 (6/3) Unification of the Beginning of Lunar Months

The Council of the International Islamic Fiqh Academy of the Organization of the Islamic Conference, holding its 3rd session in Amman, Hashemite Kingdom of Jordan, on 8–13 Şafar 1407h (11–16 October 1986),

Having reviewed the two issues mentioned below concerning the Unification of the Beginning of Lunar Months:

1. The extent of the effect of differences in horizons on the unification of the beginning of lunar months.
  2. Shariah ruling on the determination of the first day of a lunar month using astronomical calculations.
- Having listened to the discussions of the Academy's members and the experts on the subject, Resolves

First: If the sighting of the lunar crescent is established in one country, all Muslims in that country must abide by it. The difference in horizons is not relevant because of the generality of the religious command to start and end fasting. Second: It is mandatory to use the sighting; however, one may get assistance from astronomical calculations and observatories with due consideration of the ahadith of the Prophet SAW and scientific facts. Indeed, Allāh is All-Knowing.

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## Resolution No. 19 (7/3) Ihrām for Pilgrims arriving by Air or by Sea for Hajj and 'Umrah

The Council of the International Islamic Fiqh Academy of the Organization of the Islamic Conference, holding its 3rd session in Amman, Hashemite Kingdom of Jordan, on 8–13 Şafar 1407h (11–16 October 1986), Having examined the research papers presented concerning Ihrām for Pilgrims arriving by Air or by Sea for Hajj and 'Umrah, Resolves

Mawāqīt, plural of mīqāt, which are places set by the Prophet SAW where pilgrims must enter into the state of

ihrām, should be the points where those who intend to perform Hajj or 'Umrah, whether they are passing through it or who live in its vicinity, whether travelling by land, air or sea, put on their Ihrām, due to the general command reported in the ahādith of the Prophet SAW. Indeed, Allāh is All-Knowing.

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## Resolution No. 20 (8/3) Payment of Zakāh to the Islamic Solidarity Fund

The Council of the International Islamic Fiqh Academy of the Organization of the Islamic Conference, holding its 3rd session in Amman, Hashemite Kingdom of Jordan, on 8–13 Şafar 1407h (11–16 October 1986), Having listened to the statement of the Assistant Secretary General of the Organization of the Islamic Conference on the activities of the Islamic Solidarity Fund (ISF) and its urgent need for material support, and to his proposal that the ISF be one of the beneficiaries of Zakāh, Resolves

To entrust the Secretariat General of the Academy to undertake, in collaboration with ISF, the necessary studies and research on this subject in order to submit them to the Council of the Academy for its forthcoming session.<sup>3</sup> Indeed, Allāh is the Giver of success.

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## Resolution No. 21 (9/3) Shariah Rulings on Paper Money and the Changing Value of Currency

The Council of the International Islamic Fiqh Academy of the Organization of the



Islamic Conference, holding its 3rd session in Amman, Hashemite Kingdom of Jordan, on 8–13 Šafar 1407h (11–16 October 1986), Having examined the studies submitted concerning Shariah Rulings on Paper Money and the Changing Value of Currency (Rates Fluctuation), Resolves

First: Shariah Rulings on Paper Currencies Paper currencies are considered a legal form of money, possessing all the characteristics of value, and are subject to the rulings prescribed by Shariah for gold and silver with regard to ribā (usury), Zakāh, salam, and all other transactions.

Second: Changing Value of Currency Issuance of a resolution on this issue is deferred until comprehensive studies are made on all the related aspects, for consideration at the fourth session of the Academy.<sup>4</sup>

Indeed, Allāh is the Giver of success.

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### Resolution No. 22 (10/3) Muqāraḍah Bonds, Development and Investment Certificates

The Council of the International Islamic Fiqh Academy of the Organization of the Islamic Conference, holding its 3rd session in Amman, Hashemite Kingdom of Jordan, on 8–13 Šafar 1407h (11–16 October 1986), Having examined the research paper presented concerning Muqāraḍah Bonds and Development and Investment Certificates, Having listened to the in-depth discussions, Having considered the Academy's methodology, which emphasizes the need to undertake various studies on the same subject, Having noticed the importance of this subject and the need to continue

researching the related aspects, with their details and their relevant opinions, Resolves

The Secretariat General of the Academy shall commission experts it deems competent to undertake several studies on the subject to enable the Academy to adopt an appropriate resolution in this regard at its fourth session.<sup>5</sup>

Indeed, Allāh is All-Knowing.

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### Resolution No. 23 (11/3) Answering the Questions of the International Institute of Islamic Thought (IIIT) in Washington, DC

The Council of the International Islamic Fiqh Academy of the Organization of the Islamic Conference, holding its 3rd session in Amman, Hashemite Kingdom of Jordan, on 8–13 Šafar 1407h (11–16 October 1986), Having examined the questions submitted by the International Institute of Islamic Thought in Washington, DC (USA), and the answers prepared by some of the Academy's members and experts, Resolves

To entrust the Secretariat General of the Academy to transmit to IIIT the answers of the Council of the Academy, In the name of Allāh, the Entirely Merciful, the Especially Merciful, Answers approved by the Academy

#### Question 3

What is the ruling regarding marriage between a Muslim woman and a non-Muslim man, especially if she hopes that the marriage may be instrumental in him embracing Islam? Many women claim that, most of the time, not enough suitable Muslim men are available and that without marriage, they run the risk of going astray or living under extreme hardship.

Answer

Marriage between a Muslim woman and a non-Muslim man is prohibited by the Quran, the Sunnah of the Prophet SAW, and consensus of

Muslim jurists. It is void, even if it has already taken place. It will not rejoice the implications of a valid

• Answers postponed for questions 1, 2, 7, 15, and 22. marriage. The children from such a marriage are not considered legitimate. The hope that a non-Muslim husband will embrace Islam does not change this rule.

#### Question 4

What is the ruling if a marital relationship continues between a wife who has embraced Islam while her husband has remained non-Muslim? She has children with him, and she is afraid of losing them to disbelief and deviation if she separates. Furthermore, she hopes and expects that her husband may embrace Islam if the marriage relationship continues between them. Would the ruling be different if she had no hope in him accepting Islam and treating her well, and she may not find a Muslim husband if she leaves him?

Answer

A marriage is suspended simply by a wife embracing Islam and her husband refusing to do so. It is not permissible for her to continue a marriage relationship with him. However, she must wait for him during the waiting period ('Iddah). If he accepts Islam during this period, she must join him under the suspended marriage contract. However, if the 'Iddah period expires and he has not embraced Islam, then the marriage is dissolved. If he later accepts Islam and desires to go back to their marriage, he will do so under a new marriage contract. The good or bad treatment she receives from her husband is of no relevance in permitting the continuation of the marriage.

#### Question 5

We are not allowed to bury our dead except in licensed cemeteries. What is the ruling concerning burying Muslims in non-Muslim cemeteries if Muslim cemeteries are not available, which is the case in most American and European countries?

Answer

The burial of Muslims in non-Muslim graveyards is permissible as a necessity in non-Muslim countries.

#### Question 6

What is the ruling concerning selling a mosque because "if Muslims leave the area where it is located, and the mosque may deteriorate or may be expropriated as a result"? Often, Muslims buy a house and turn it into a mosque, and when the majority of the Muslim community living in that area leave for work-related reasons, the mosque is deserted or

neglected, and others (non-Muslims) might take it over. Is it possible to sell it and build another mosque in another location where there is a Muslim community? What is the ruling concerning such a sale or re- placement? If it is not possible to replace it with another mosque, what is the most appropriate way to use the funds from the sale?

#### Answer

It is permissible to sell a mosque that is not being in use or when Muslims have emigrated from the area where it is located or when it is threatened with ex- propriation by non-Muslims, providing that the proceeds of the sale are used to buy another mosque in another place.

#### Question 8

Some women and young girls are forced by work conditions or education to live alone or with other women who are not Muslim. What is the ruling con- cerning such a mode of living?

Answer

According to Shariah, it is not permissible for a Muslim woman to live alone in a foreign land.

#### Question 9

Most women living in the United States say that the most they can cover their bodies is all except the face and hands. Some of them are even forbidden by their employers to cover their heads. What parts of her body can a woman ex- pose in front of strangers in places of work or study?

#### Answer

The hijāb of a Muslim woman – according to Jumhūr (majority of the Islamic schools of law) – is to cover her entire at least body except for her face and hands, provided she does not expect to be harassed. If, however, she expects to be harassed, she must cover them as well.

#### Question 10 and 11

Many Muslim students in this country (USA) are compelled to work to cover their educational expenses because, for the majority of them, money received from their relatives is not enough; thus, work becomes a necessity for them that they cannot live without. In most cases, they cannot find job except in restau- rants or shops that sell alcoholic drinks or serve food containing pork or other prohibited products. What is the ruling on working in such places? What is the ruling concerning a Muslim who sells alcoholic beverages or pork or distills intoxicants and sells them to non-

Muslims? Please note that some Muslims in this country have made it their profession.

#### Answer

It is permissible for a Muslim to work in restaurants owned by non-Muslims only if he cannot find any other work that is permissible by Shariah and provided he does not directly serve, carry, manufacture or trade in alcoholic beverages. The ruling is the same with regard to serving pork or other forbidden things.

#### Question 12

Many medicines contain different quantities of alcohol, ranging between 1% to 25%, and most of these medicines are for the treatment of colds, coughs, sore throats, and other such symptoms of common diseases. Approximately 95% of medicines for these diseases contain alcohol, which makes finding alcohol-free medicines very difficult or nearly impossible. What is the ruling concerning the use of such medicines?

#### Answer

It is permissible for a Muslim to take medicine containing a percentage of alco- hol if he or she cannot find any other medicine free from this substance, pro- vided it is prescribed by a reliable and competent physician.

#### Question 13

Some yeasts and gelatins contain a very small amount of substances extracted from swine. Is it permissible to use such yeasts or gelatins?

#### Answer

It is not permissible for a Muslim to use yeasts or gelatins containing extracts from swine in foodstuffs. Yeasts and gelatins extracted from vegetables or per- missible animals are a good enough substitute.

#### Question 14

Many Muslims are compelled to celebrate their daughters' wedding ceremonies in mosques. Often these ceremonies include dancing and singing. There is no other place that is available to them and large enough to hold such ceremonies. What is the ruling concerning celebrating such ceremonies in mosques?

#### Answer

It is recommended to conclude the marriage contract in mosques. However, it is not permissible to conduct wedding ceremonies

in mosques if these include prohibited acts, such as men and women freely mixing or women flaunting, dancing or singing.

#### Question 16

What is the ruling concerning the marriage of a Muslim student (man or woman) while the two parties do not intend to keep permanently? Their intention is to terminate it at the end of their studies and return to their permanent place of residence. However, the marriage contract, typically, is a normal contract and of the same form as a permanent marriage.

#### Answer

The presumptions in a marriage contract are continuity, permanence and the formation of an everlasting family bond until and unless something causes its dissolution.

#### Question 17

What is the ruling concerning a woman who appears in places of work or ed- ucation having plucked hair from her eyebrows and applied kohl to her eyes?

#### Answer

The wearing of kohl is permissible by Shariah for men and women. However, plucking hair from the eyebrows is not permissible unless its presence truly dis- figures a woman's appearance.

#### Question 18

Some Muslim women feel alienated by refusing to shake hands with men who come to their workplace or schools. Thus, they shake hands with them to avoid embarrassment. What is the ruling concerning such handshakes? The same is true for Muslim men when non-Muslim women want to shake hands with them. According to what they say, if they refuse to do so, they feel embarrassed for themselves and for these non-Muslim women.

#### Answer

The handshake of a man to a non-mahram woman who is pubescent is for- bidden by Shariah, as is the ruling for the handshake between a woman and a non-mahram pubescent man.

#### Question 19

What is the ruling concerning the renting of churches for performing the five prayers, the Friday prayer or Eid prayer, with statues and other things usu- ally found in a church being present? It is to be noted that churches are – mostly – the least expensive places that can be hired from Christians and using some of

them is permissible free of charge by some universities and charitable organizations.

#### Answer

Renting churches for performing prayers is permissible if necessary. The prayer should not be performed in front of statues and pictures, which should be covered if they are in the Qibla direction.

#### Question 20

What is the ruling concerning animal slaughter by the People of the Book (Jews and Christians) and the food offered in their restaurants, noting that we do not know about their pronouncing of the name of Allāh at the time of slaughter?

#### Answer

Slaughter by the People of the Book is permissible if performed in a manner acceptable to Shariah. The Academy recommends a more detailed report on the subject for consideration in the forthcoming session.<sup>7</sup>

#### Question 21

Many gatherings where Muslims are invited serve alcohol or have a mixed crowd of men and women, and Muslims' isolation from such occasions may lead to separation from other members of society and loss of privileges. What is the ruling concerning attending such gatherings without participating in drinking alcohol, dancing or eating pork?

#### Answer

It is not permissible for a Muslim, male or female, to attend gatherings in which intoxicants are served or to participate in meetings causing sins and disobedience.

#### Question 23

In most parts of North America and Europe, the sighting of the lunar crescent, for the months of Ramaḍān and Shawwāl, is either impossible or complicated. The advanced technology and scientific knowledge available in most of these countries enable the prediction – thanks to astronomical calculations – of the birth of the lunar crescent with great accuracy. Is it permissible to rely on these calculations in these countries? Is it permissible to obtain assistance from observatories and accept the opinion of a non-Muslim scientist working there, noting that it is more probable that they will be telling the truth in such matters? It should be noted that this issue has caused

much division among Muslims in Europe, USA, and Eastern countries regarding fasting and the end of fasting. This has spoiled the important benefits of Eid and caused endless problems, whereas, according to some points of views, the use of astronomical calculations may put an end to or help mitigate these divisions and problems.

#### Answer

It is an obligation to rely on the sighting in addition to seeking assistance from astronomical calculations and observatories, in compliance with the tradition of the Prophet SAW and scientific facts.

• Resolution 94 (3/10), par. 6. If the sighting in one country is confirmed, all Muslims in that country must abide by it. The difference of horizons is irrelevant due to the generality of the religious command to start and end fasting.<sup>8</sup>

#### Question 24

What is the ruling concerning a Muslim's employment in the USA or any other non-Muslim government ministry or any other agency, especially in such important industrial fields as atomic energy or strategic studies, etc.?

#### Answer

It is allowed for a Muslim to accept a job, permitted by Shariah, in a non-Muslim government agency or department, provided that such a job does not cause any harm to Muslims.

#### Question 25 and 26

What is the ruling concerning a Muslim architect who designs buildings for non-Muslims, such as churches, etc. noting that this is part of his assignment in the company in which he works and in case of his refusal, he may be fired? What is the ruling concerning a Muslim individual or organization donating to an educational Christian missionary organization or church?

#### Answer

It is not permissible for a Muslim to design or build places of worship for non-Muslims or contribute financially or physically to the likes.

#### Question 27

In many Muslim families, men engage in selling liquor, pork and similar wares. Their wives and children disapprove this practice, noting that their livelihood depends on the earnings of the men. Are they committing a sin?

#### Answer

A wife or children who are unable to earn their living by ḥalāl (lawful) means can gain sustenance from the husband's or father's ḥarām (unlawful) earnings • Resolution 18 (6/3). from the sale of liquor, pork or other haram sources, as a matter of necessity, and after having tried to convince him to find another job and earn a living by halal means.

#### Question 28

What is the ruling concerning the purchase of a house to live in, a car for personal use or furniture for the house through a loan from a bank or an institution that imposes a fixed profit on such loans and uses such assets as collateral for the repayment, noting that, in the case of a house, car or furniture, the alternative to the purchase is generally leasing on monthly installments, which are usually higher than the monthly installments charged by the bank?

#### Answer

This type of transaction is not permissible in Shariah. Indeed, Allāh is All-Knowing.

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## Resolution No. 24 (12/3) Scientific Projects of the Academy

The Council of the International Islamic Fiqh Academy of the Organization of the Islamic Conference, holding its 3rd session in Amman, Hashemite Kingdom of Jordan, on 8–13 Šafar 1407h (11–16 October 1986), Having reviewed the report of the Planning Division of the Academy, issued in its meeting on 8–9 Šafar 1407h (11–16 October 1986), in which it discussed several topics,

### Resolves

First: After introducing some amendments, the following projects were approved:

1. Encyclopedia of Economic.
2. Glossary of Fiqh
3. Manual of Fiqh
4. A Code for the Evidences of the Juristic
5. Revival of Fiqh
6. Financial Regulations for the Encyclopedia of Economic
7. Financial Regulations for the Glossary of Fiqh
8. Financial Regulations for the Revival of Fiqh
9. Work plan for the activities, discussions, and management of the Council's

Second: To create a quadripartite scientific committee to establish a methodology for each of these projects, Manual of Fiqh Maxims and A Code of the Evidences of Juristic Ordinances, in collaboration with the President of the Academy and the Secretary General of the Academy. Indeed, Allāh is the Giver of success.

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## Resolution No. 25 (13/3) Recommendations of the 3rd Session of the Council of the International Islamic Fiqh Academy

The Council of the International Islamic Fiqh Academy of the Organization of the Islamic Conference, holding its 3rd session in Amman, Hashemite Kingdom of Jordan, on 8–13 Šafar 1407h (11–16 October 1986), Having listened with particular interest to the statement of HRH Prince Hassan bin Talal, Crown Prince of the Hashemite Kingdom of Jordan, on the urgent problems facing Muslims in the areas of social and economic development, which call for an urgent action to fight poverty, diseases, and lack of knowledge, in order to ensure a decent standard of living for the human being, Having reviewed the address of His Royal Highness to the Arab and Muslim world to aid Sudan, Conscious of the necessity of intensifying efforts aimed to rescue Al-Aqsa Mosque, the first of the two Qiblas and the third holiest Mosque in Islam, in the vicinity of which the present session is being held, Convinced of the need to devote extreme attention to issues relating to the social and economic life and solidarity among Muslims, and the necessity of in-depth studies and research through scientific seminars, workshops, and the likes,

### Resolves

First: A wide-ranging Islamic relief program needs to be created, sponsored, financed by an independent fund, based on revenues of Zakāh, Awqāf, and donations. Second: An appeal should be launched to the Ummah, governments and peoples alike, calling them for the pooling of all possible resources to save the First of the two Qiblas and the third holiest Mosque and to liberate the occupied territories through the mobilization of all the Ummah's potentials, the assertion of its identity, the closing of its ranks, the elimination of all causes of dissension, and the adoption of divine law as a way of life on both private and public levels. Third: Special attention should be paid to the activities of the Academy in the field of studies, research,

fatwās (rulings) and projects relating to major issues affecting the social and economic life of Muslims, the closing of their ranks, the unification of their positions, and the promotion of all factors of solidarity among them, while providing them with means of facing all challenges and building their life according to the rules of Shariah. Fourth: Distinction should be made between issues relating to studies, research and fatwas, with particular emphasis on scientific seminars and work-shops in matters relating to studies and research, in accordance with a plan of action to be prepared by the Planning Division of the Academy for submission to the Council.

Indeed, Allāh is All-Knowing.

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## **Qatari Minister of Islamic Affairs receives Secretary General of Academy in Doha**



H.E. Mr. Ghanem bin Shaheen Al-Ghanim, Minister of Awqaf and Islamic Affairs of the State of Qatar, received H.E. Prof. Koutoub Moustapha Sano, Secretary General of the Academy, on Monday morning, 10 Rajab 1445, corresponding



to 22 January 2024, in his office at the Ministry's headquarters in Doha. The Qatari Minister of Awqaf welcomed the Secretary General and the accompanying delegation, expressing sincere thanks and deep gratitude for the prompt response and approval of Qatar's desire to host the twenty-sixth session of the Council of the Academy in Doha in November 2024. This event will be under the generous patronage of His Highness Sheikh Tamim bin Hamad Al Thani, Emir of Qatar.

Minister Al-Ghanim also praised the Academy's significant efforts in clarifying Shariah rulings on issues affecting Muslims, particularly contemporary challenges, and expressed hope that the upcoming Academy session, hosted by the Qatari Ministry, would address childcare issues, emphasizing the importance of protecting children from extremism. His Excellency affirmed that the Qatari leadership and people look forward to hosting the next session of the Academy,



and His Excellency concluded by stating that this session would mark the beginning of further activities and collaboration with the Academy. On his part, the Secretary General expressed his thanks for the warm welcome, kind reception, and

generous hospitality extended by Minister Al-Ghanim. He expressed joy at Qatar hosting the twenty-sixth session and the Academy's commitment to strengthening cooperation with Qatar's scientific and religious institutions. He confirmed that the next session will address critical issues, including childcare and protection, balanced parenting, electronic games, Sharia governance in Islamic financial institutions, prayer and fasting provisions, and other contemporary challenges. The Secretary General also expressed the Academy's willingness to sign a cooperation agreement with the Ministry. Both parties agreed to start organizational and scientific preparations for the session, including proposed themes and logistical requirements. Souvenirs were exchanged, and Minister Al-Ghanim hosted a luncheon in honor of His Excellency and the delegation. The meeting was attended by Sheikh Dr. Thaqeel bin Sayer Zaid Al-Shammari, Qatar's member in the Academy's Council, and various directors from the Ministry, as well as Mrs. Sarah Bedewi, Director of Family, Women and Children's Affairs, and Mr. Khaled Al-Ahmadi, Head of Administrative and Financial Affairs, and Mr. Amjad Al-Mansi, Head of the Protocols at the Academy.



## President of Supreme Council for Islamic Affairs of Chad visits IIFA

H.E. Prof. Koutoub Moustapha Sano, Secretary General of the Academy, received H.E. Sheikh Dr. Mohamed Khater Issa, President of the Supreme Council for Islamic Affairs and Chairman of the Hajj and Umrah Directorate in the Republic of Chad. The meeting took place at the Secretariat General's headquarters in Jeddah on 16 Rajab 1445, corresponding to 28 January 2024. The Secretary General extended a warm welcome to his guest and accompanying delegation, expressing the Academy's deep appreciation for the Republic of Chad's continuous support since its establishment. He then provided an overview of the Academy's vision, mission, and objectives.



He also praised H.E. Mr. Hussein Ibrahim Taha, Secretary General of OIC's care and attention given to the Academy, and expressed the Academy's readiness to cooperate with the Council of Islamic Affairs through the signing of a memorandum of cooperation. This cooperation aims to jointly organize conferences and seminars addressing contemporary issues faced by Muslims in Africa, particularly in the Republic of Chad. H.E. Sheikh Dr. Mohamed Khater Issa conveyed his gratitude for the warm welcome and hospitality, acknowledging the Academy's significant contributions to Muslims globally. He expressed his desire to establish cooperative

relations with the Academy, benefiting from its expertise, resolutions, recommendations, publications, and jointly organizing conferences and seminars in the Republic of Chad. The meeting was attended by several distinguished individuals, including His Excellency Dr. Mohamed Al-Bashir Ibrahim, Director General of the Arab and African World at the Chadian Ministry of Foreign Affairs, and a member of the Supreme Council for Islamic Affairs; and from the side of the Academy, Dr. Abdulfatah Abnauf, Director of International Cooperation and Mr. Mohamed Al-Idrisi, Director of Media and Communication.



## President of Sudanese Fiqh Academy visits IIFA in Jeddah



H.E. Prof. Koutoub Moustapha Sano, Secretary-General of the Academy, received H.E. Dr. Abdul Rahim Adam Suleiman, President of the Islamic Fiqh Academy of Sudan, on Wednesday, 5 Rajab 1445, corresponding to 17 January 2024, at the IIFA's headquarters in Jeddah. At the beginning of the meeting, the President of the Sudanese Fiqh Academy expressed his utmost appreciation and gratitude to the Secretary-General of IIFA for the warm welcome, at IIFA's headquarters, which is considered the leading jurisprudential reference for Muslims worldwide, commending the IIFA's contributions to the Muslim world and Muslim communities. His Excellency praised IIFA's vow to enhance cooperation with scientific institutions, especially the Islamic Fiqh Academy of Sudan, and the importance of implementing

the MoC signed between the two sides in light of the circumstances that Sudan is going through. For his part, the Secretary-General welcomed his guest, thanking him for this visit and expressing his regret for what our brotherly country of Sudan is going through, praying to Allah the Almighty to spare the blood and for harmony, reconciliation, and stability to return to the country shortly. He emphasized the importance of the role of Sudanese scholars in providing the duty of advice and reminding them of the necessity of ending the war in the country. He expressed his confidence in regional and international mediation efforts to enable Sudan to return to regain its development efforts and prosperity. His Excellency concluded his speech by expressing the Academy's sincere thanks and great appreciation to the Republic

of Sudan for its continued and ongoing support for IIFA since its foundation to the present day. His Excellency specifically commended the efforts of the distinguished Sudanese scholars who contributed to the Academy, from eminent and distinguished members, starting with H.E. Prof. Ahmed Babeker, former Secretary General, and H.E. Sheikh Dr. Al-Siddiq Al-Amin Al-Darir, and many others. He also praised the distinguished role of several Sudanese scholars who participated in the last session of the Academy in Jeddah, stressing the sincere desire to continue cooperation and coordination between the two institutions. The meeting was attended by H.E. Dr. Al-Naeem Muhammad Hamza, member of the Supreme Committee for Monitoring the Holy Qur'an Center at Sudan's Fiqh Academy, and Dr. Abdulfatah Abnauf, Director of Planning and International Cooperation, and Mr. Mohamed Al-Idrisi, Director of Media and Public Relations at IIFA.





## Secretary General of SMIIC visits IIFA in Jeddah



As part of the Academy's endeavor to increase cooperation with religious and research institutions within the OIC's member states, H.E. Mr. Ihsan Övüt, Secretary-General of the Standardization and Metrology Institute for Islamic Countries (SMIIC), and his delegation, visited the headquarters of IIFA in Jeddah on Thursday 6 Rajab 1445, corresponding to 18 January 2024. The delegation was received by H.E. Prof. Koutoub Sano, Secretary General of the Academy. His Excellency welcomed the

honorable guests, praising the distinguished relationship between the Academy and SMIIC since its, noting in this regard the positive cooperation existing between the two institutions in the field of issuing Sharia standards for the halal industry in slayed animals, food, drinks, and other products, so as to promote the halal industry that adheres to Islamic norms and to emphasize the existing strategic partnership between the two parties. For his part, H.E. Mr. Ihsan Övüt thanked the Secretary-General for the

warm welcome and praised the great efforts made by the Academy to serve Muslims worldwide. He also commended the solid cooperation between SMIIC and the Academy in the matters of halal products, such as food, medicine, and clothing, stressing the need to foster cooperation and keep pace with the rapid developments and changes that our world is witnessing today, in order to promote the Academy's resolutions and standards in a way that responds to scientific development and the rapid growth in this field. The meeting was attended by Mr. Moez Al-Riahi, Director of Finance, Investment and Projects, and Mr. Mohamed Walid Al-Idrisi, Director of Media and Public Relations.



## Secretary General of Academy receives IIUM Delegation

H.E. Prof. Koutoub Moustapha Sano, Secretary General of the Academy, received a delegation from the International Islamic University of Malaysia (IIUM). The delegation was headed by H.E. Prof. Ahmad Faris Ismail, deputy vice-chancellor for Scientific Affairs and External Relations. The meeting took place at the Secretariat General's headquarters in Jeddah, on 6 Rajab 1445, corresponding to 18 January 2024. His Excellency extended a warm welcome and expressed gratitude for the visit, highlighting the strong cooperation, coordination, and communication between IIFA and IIUM. He praised IIUM's role in providing high-quality Islamic education, combining tradition and modernity. He emphasized the importance of implementing the strategic cooperation agreement between



the two entities to achieve common objectives. IIUM's deputy vice-chancellor acknowledged IIFA's efforts in promoting moderation, openness, and coexistence in OIC member states. He expressed aspirations for further cooperation and partnership in various fields. The meeting was attended by several distinguished individuals, including Mr. Raja d Ali, Head of the Legal Affairs Dept at IIUM, Prof. Mohammed Abdullah, Director of the Office of Strategy and Institutional Change, and Mr. Almizat Ismail, Director of

Alumni Relations Dept. On the side of the Academy, it was attended by Mr. Moez Riyahi, Director of Financing and Investments, and Mr. Mohammed Al-Idrissi, Director of Media at IIFA.



## IIFA and Maldives' Ministry of Islamic Affairs sign an MoC

Aiming to enhance cooperation and partnership between IIFA and official institutions in OIC's Member States, and to implement IIFA's objectives, which call for rejecting fanaticism and sectarianism in religion by spreading moderation and tolerance among the followers of different Muslim schools and sects, H.E. Prof. Koutoub Moustapha Sano, Secretary General of the Academy, and H.E. Dr. Muhammad Shaheem Ali Saeed, Minister of Islamic Affairs of the Republic of Maldives, signed an MoC on Sunday 2 Rajab, 1445, corresponding to 14 January 2024, at IIFA's headquarters in Jeddah. This agreement came to strengthen cooperation in common areas, particularly in disseminating Islamic knowledge and culture and preserving the Islamic heritage, by monitoring the most important intellectual, social, economic and cultural challenges to express a legitimate opinion on them and provide appropriate solutions. The agreement also aims to jointly organize conferences, seminars, workshops and training courses, exchange publications, and mutually represent the two parties at joint conferences and seminars of common interests. Following the signing of the agreement, the Secretary General of IIFA expressed his pleasure at concluding this agreement, demonstrating the great respect that the OIC Member States have for IIFA. He also expressed his great appreciation



for the Republic of Maldives to disseminate the moderate approach and promote the culture of tolerance and coexistence among religions and peoples and welcomed the Maldives' continued support for the Academy. He also expressed his hope that this agreement would begin a new phase in deepening cooperation between IIFA and the Maldives in addressing contemporary issues based on the Islamic spirit of brotherhood and bridges-building. For his part, His Excellency the Minister expressed his happiness after this agreement, which will pave the way for his Ministry to make use of the Academy's enormous capacities and expertise, which will directly benefit the Ministry in science, research and training. His Excellency added that he welcomed the IIFA's assistance to Maldivian academics by organizing joint specialized seminars with the Academy, the themes of which revolve around moderation, combating extremist ideology,

rejecting extremism and fanaticism, and promoting a culture of moderation, tolerance, and openness in society. Under the terms of the memorandum, the two parties have agreed to form a specialized committee to determine the aspects of cooperation between them, as well as the methods and mechanisms for implementation in accordance with the vision contained in the memorandum. The signing ceremony was attended by H.E. Mr Ali Ihsan, Undersecretary for Islamic Affairs, Mr Mohamed Rameez, First Secretary of the Maldives Consulate in Jeddah, Mr Ahmed Ressam, Political Director and Secretary to His Excellency the Minister, Sojo Hameed Edikam, Head of Islamic Affairs at the Ministry, Mr Mohamed Chouk, Director of Protocols, Dr. Abdulfatah Abnaouf, Director of Planning and International Cooperation, Mr. Mohamed Walid Al-Idrissi, Director of Media and Public Relations, and Mrs. Sarah Amjad Bedewi, Director of Family and Women's Affairs.



## IIFA signs an MoC with Tasbil Company to assist its Waqf Fund



Following the resolution issued by the Ministerial Council of Foreign Ministers of Islamic Countries to establish an Waqf fund for the International Islamic Fiqh Academy (IIFA) to increase its budget, and strengthen cooperation with leading Islamic institutions involved in charitable work and financial resource development, H.E. Prof. Koutoub Moustapha Sano, Secretary General of IIFA, and H.E. Mr. Fahad bin Mohammed Al-Hazaa, lawyer, Director General of Tasbil Company for Development of Community

Endowments, signed a cooperation agreement on 4 Rajab 1445, corresponding to January 16, 2024. This agreement outlines the establishment of an institutional framework for IIFA's Waqf Fund, with both parties committing to hold direct and indirect meetings to implement projects related to endowment development and financial resources. These projects will involve preparing the necessary scientific and administrative executive documentation. The Secretary General expressed the Academy's intent to maximize the expertise of specialized charitable institutions in the field, emphasizing the goal of collecting donations and funds to support the Academy's Waqf Fund. This fund aims to serve as a stable resource to fund the Academy's strategic plan activities, in addition to annual contributions from OIC member states. The signing ceremony was attended by Dr.

Rashid bin Mohammed Al-Hazaa, Counselor, and Mr. Abdullah Hamed Al-Omari, Legal Advisor at Tasbil. On the side of IIFA, it was attended by Mr. Mohamed Monder Chouk, Director of Cabinet, Mr. Moez Al-Riahi, Director of Finance, Investment and Projects, Mrs. Sarah Bint Amjad Bedewi, Director of Family, Women and Childhood, and Mr. Khaled Al-Ahmadi, Head of the Administrative Affairs, Mr. Nofal Al-Shteiwi, Internal Auditor, and Mr. Amjad Ibrahim Al-Mansi, Head of the Protocols.





## IIFA signs MoC with Islamic Affairs Council of Chad

In order to strengthen cooperation and partnership between the International Islamic Fiqh Academy and various official institutions, fatwa authorities, and Islamic councils within OIC Member States, an MoC was signed by H.E. Prof. Koutoub Moustapha Sano, Secretary General of the Academy, and H.E. Sheikh Dr. Mohamed Khater Issa, President of the Supreme Council for Islamic Affairs and Chairman of Hajj and Umrah Directorate of the Republic of Chad. This agreement was signed on the evening of 18 Rajab 1445, corresponding to 30 January 2024, at the Secretariat General's headquarters. The agreement aims to establish cooperation between the Academy and the Council in various areas of Islamic action, with a particular focus on matters related to fatwa, and to enhance collaboration and coordination, promote unity, and eliminate inconsistencies in fatwas in accordance with the principles of Islam and its teachings of tolerance. This cooperation also includes the exchange of knowledge, educational resources, and scientific publications related to contemporary developments and issues. Additionally, both parties plan to jointly organize seminars and conferences on topics of mutual interest. After the signing ceremony, the Secretary General



expressed his satisfaction with the collaboration, highlighting the respect OIC member states hold for IIFA as the leading juristic authority for Muslim countries and communities. He praised the Islamic Council's efforts in promoting moderation, tolerance, and unity in Chad. He expressed hope that the memorandum would mark the beginning of a new era of cooperation between the Academy and scientific and religious institutions in Chad, led by the Supreme Council for Islamic Affairs. In response, the President of the Council expressed his delight at the agreement and its potential to allow the Islamic Council to benefit from IIFA's resolutions and recommendations. He stressed the importance of using these resolutions and recommendations to counteract deviant fatwas and extremist ideologies. According to the terms of MoU, both

parties agreed to establish a specialized committee to define the scope of their cooperation, as well as the methods and mechanisms for implementing the agreement. The committee has the authority to select the appropriate individuals to execute all the provisions outlined in the agreement. The signing ceremony was attended by H.E. Ambassador Hassan Saleh Al-Qadam Al-Junaidi, Plenipotentiary Ambassador of Chad to Saudi Arabia and its Permanent Representative to OIC, H.E. Dr. Mohamed Al-Bashir Ibrahim, Director General of the Arab-African World Dept at the Chadian Ministry of Foreign Affairs and a member of the Supreme Council of Islamic Affairs, H.E. Mr. Haroun Saleh Al-Issa, Delegate of the Supreme Council of Islamic Affairs in Chad to Saudi Arabia, Mr. Mohamed Al-Idrisi, Director of Media, and Mr. Amjad Al-Mansi, Head of Protocols at IIFA.



## 38th Monthly Meeting of Academy's Personnel

The thirty-eighth monthly meeting of IIFA's employees was held under the chairmanship of H.E. Prof. Koutoub Moustapha Sano, Secretary-General of the Academy, on Sunday 1st Shaban 1445, corresponding to 11 February 2024. His Excellency welcomed the attendees and thanked them for participating in the meeting. His Excellency also thanked Mr. Amjad Ibrahim, Head of the Protocols, for displaying documentary photos on IIFA, representing a historical legacy of the Academy over four decades since its foundation. His Excellency paved the floor for the

Academy's members to express their comments and suggestions. The meeting reviewed previous decisions, and new decisions were issued, notably:

- The Scientific Committee shall review the research papers on the cultured meat symposium.
- Reminding to use fingerprint device when entering and exiting and asking permission before leaving through "Jisr" application.
- Allowing the employee to take emergency leave appropriately and according to the staff bylaws and as required by the Department.



- Summon the specialized technician to verify the front door and take all the necessary security and safety measures.

## IIFA participates in 7th Coordination Meeting of OIC Institutions

H.E. Mr. Mohammed Mondher Chouk, Director of Cabinet and Protocols participated as a representative of IIFA at seventh coordination meeting of OIC institutions, held on 04-05 Rajab 1445, corresponding to 17-18 January 2024, at OIC's headquarters in Jeddah. The meeting was chaired by the Assistant Secretary General for Economic Affairs, who appreciated the efforts of the OIC institutions and took part in the Cultural Affairs Committee chaired by H.E. Ambassador Tariq Bakhit, Assistant Secretary-General for Humanitarian Affairs, who appointed the Research Center for Islamic History, Arts and Culture in Istanbul (IRCICA) as the first vice-



chairman, Women Development Organization (WDO) as second vice-chairman and IIFA as rapporteur of the meeting. His Eminence presented IIFA's report on delegation of scholars that visited Afghanistan to discuss crucial issues such as tolerance, moderation, equality, education, and women's rights in Islam, as well

as the cooperation with WDO in organizing a symposium on "The Role of Religious Leaders in Confronting Violence Against Women". Director of WDO, Dr. Afnan Al Shuaibi confirmed the occurrence of this joint event with IIFA. The Cultural Affairs Committee featured a number of sub-committees and His Eminence participated in the Family and Social Affairs Committee due to the several joint activities that IIFA is involved. The report on the Cultural Committee meeting was prepared and approved by the Assistant Secretary General for Cultural Affairs and was read at the Executive Committee meeting where the rapporteurs of the committees read their findings.

## IIFA mourns Sheikh Mohamed Hajj Yusuf former representative of Somalia



"O reassured soul \* Return to your Lord, well-pleased and pleasing \* Join with My [righteous] servants \* And enter My Paradise" Al-Fajr, 27-30. It is with great sadness that the Secretariat General of the International Islamic Fiqh Academy (IIFA) received the news of the passing away of Sheikh Mohamed Hajj Yusuf, Somalia's former representative to the Council of the Academy, who left behind a good impression and an example to emulate in the dedication and sincerity of his work and ascetism during his tenure at the Council of the Academy. On this sad occasion,

the International Islamic Fiqh Academy (IIFA), its presidency, secretariat general and staff, present their sincere condolences and heartfelt sympathy to the family of the deceased, his relatives and beloved, praying to Allah to shower him with His mercy, pardon him and welcome him in the Paradise with the prophets, the truthful, the martyrs, the virtuous and good companions. To Allah we belong and to Him we shall return.

Secretariat General  
International Islamic Fiqh Academy

## IIFA participates in Coordination Meeting of OIC-affiliated Islamic Universities

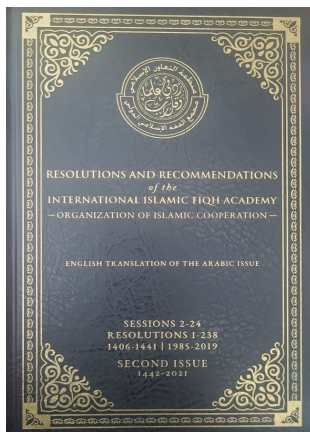
Dr. Abdel Fattah Abnauf, Director of the Department of Planning, International Cooperation and External Relations at IIFA, participated as a representative of IIFA in the coordination meeting of Islamic universities and related institutions affiliated with the OIC, which was held at the OIC headquarters in Jeddah, on Tuesday, 4 Rajab 1445, corresponding to the 16 January 2024. His Eminence delivered a speech in which he presented an introductory overview of the Academy, as it is one of the most important bodies emanating from the OIC, which was established in 1981 to become the leading religious reference for Muslim countries and communities regarding the Sharia rulings on current issues that concern Muslims around the world. He pointed out that one of the objectives of the Academy is to achieve intellectual convergence and integration between scholars of respected Islamic schools of law and other specialists in the fields of knowledge, human sciences, social sciences, and natural and



applied sciences in order to clarify the stance of Sharia on contemporary life problems, stressing that the ways to achieve these goals are through strengthening cooperation between the Academy and universities to benefit from their experts in various fields of knowledge and specialties, exchanging knowledge, competencies, and research related to modern jurisprudential issues, in addition to organizing joint scientific events. His Eminence also spoke about the agreements and memorandums signed between IIFA and several universities in the OIC's member states and Muslim communities that aim to promote

Islamic culture by spreading the Islamic heritage, dealing with contemporary issues, and enhancing cooperation in common fields, especially in research and studies, speaking to the world in its various languages, and spreading authentic moderate Islam. At the end of his speech, His Eminence expressed the Academy's full readiness to cooperate with various scientific institutions and universities to achieve these noble objectives, especially the affiliated and subsidiary universities of the Organization of Islamic Cooperation. It is worth noting that the Organization of Islamic Cooperation contains five affiliated universities in five of the OIC member states: the Islamic University of Technology in the People's Republic of Bangladesh, the International Islamic University in Malaysia, the Islamic University in the Republic of Uganda, the Islamic University of Niger in the Republic of Niger, and King Faisal's University in the Republic of Chad. These universities constitute the OIC's main organ in its activity in higher education.

## A Brief Introduction to the Resolutions of the International Islamic Fiqh 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 humanity that will remain forever on earth.





In the Name of Allāh,  
the Entirely Merciful, the Especially Merciful  
Praise is due to Allāh, Lord of the worlds, may  
the blessings and peace be upon our master  
Muḥammad, the last of prophets, on his family,  
and all his companions.

### Resolution No. 26 (1/4) A Human receiving the Organs of another Human, Dead or Alive (Organ Transplantation)

The Council of the International Islamic Fiqh Academy of the Organization of the Islamic Conference, holding its 4th session in Jeddah, Kingdom of Saudi Arabia on 18–23 Jumādā al-Akhira 1408H (6–11 February 1988), HAVING CONSIDERED the Fiqh and medical research papers submitted to the Academy concerning A Human receiving the Organs of another Human, Dead or Alive (Organ Transplantation), IN THE LIGHT of the discussions highlighting the timeliness of this issue due to scientific and technological progress. Despite its proven effectiveness and positive results, several harmful psychological and social effects have also come to light, as neither the guidelines prescribed by Shariah nor its objectives, which aim to ensure the well-being and dignity of humans and communities, and call for compassion and altruism, have been met, HAVING SUMMARIZED the points relating to this subject in its different aspects, forms and cases, each of which calls for a specific Shariah ruling, Resolves

#### Definition and Classification

FIRST: The organ refers to any part of the human body: tissue, cells, blood, etc. such as the cornea, whether still part of the body or removed from it. SECOND: Utility, which is the core of the matter, is the benefit accruing to the recipient, which enables him to remain alive, or to have a primary function of his body restored,

whether it is eyesight or otherwise provided the recipient enjoys a respected life under Shariah.

THIRD: The form of benefiting from transplantation may be divided as follows:

- Transplantation of an organ from the body of a living person,
- Transplantation of an organ from the body of a dead person,
- Transplantation of an organ from a fetus,

First Form: Organ Transplantation from a Living Person

This occurs in the following cases:

- a. Transplantation of an organ from one part of the body to another part of the same body, such as grafting skin, cartilage, bones, veins or blood vessels, etc.
- b. Transplantation of an organ from the body of a living person to another. In this case, the organ may be classified as essential for life or otherwise. In this case, it may be a single organ, such as the heart or liver, or pair of organs, such as kidneys or lungs. As for the organs on which life does not depend, they could be organs that perform a primary function in the body or otherwise, or an organ which is self-renewing, such as blood, or is not self-renewing, and some have an effect on the lineage, inheritance and general personality, such as testicles, ovary, or cells of the nervous system, or have no bearing whatsoever.

Second Form: Transplantation of a Dead Person's Organ

It should be noted that death may take two forms:

1. All functions of the brain stop completely and no medical treatment can reverse the situation.
2. The heart and respiratory system stop completely, no medical treatment can reverse the situation.

In both cases, due consideration should be given to the Academy resolution no. 18 (5/3) at its third session.

Third Form: Transplantation from a Fetus  
It may be performed in three forms:

- Spontaneous abortion

- Medically induced or criminal abortion
  - Fertilization outside the uterus (In-Vitro fertilization)
- Shariah Rulings

FIRST: An organ may be transplanted from one part of the body to another part of the same body, provided it is ascertained that the benefits accruing from this operation outweigh the harmful effects caused thereby; also provided that its purpose is to replace a lost organ, reshape it, restore its function, correct a defect or remove a malformation which is a source of mental anguish or physical pain.

SECOND: An organ may be transplanted from the body of one person to the body of another person, if such organ is self-regenerating, such as blood and skin. It is stipulated in this case that the donor must be legally competent and that due attention must be taken to the conditions set by Shariah on this matter.

THIRD: It is permissible to transplant from a body part of an organ that was removed due to a medical deficiency, such as the cornea, if, due to a disease, the eye had to be removed. FOURTH: It is forbidden to transplant from a living person to another, a vital organ, such as the heart, without which the donor cannot remain alive.

FIFTH: It is forbidden to transplant from a living person to another organ such as the cornea of the two eyes, which absence deprives the donor of a primary function of his body. However, if it affects only part of the basic function, then it is a matter still under consideration, as explained in paragraph (8) below.

SIXTH: It is allowed to transplant an organ from the body of a dead person, if it is essential to keep the beneficiary alive, or if it restores a primary function of his body, provided it has been authorized by the deceased before his death or by his heirs after his death or with the permission of concerned authorities if the deceased has not been identified or has no heirs.

SEVENTH: It should be noted that the medical consent, in the above cases, for performing organ transplantation, is stipulated that it is not done

for financial reasons (selling an organ), because under no circumstances should a person's organ be sold. However, incurring expenses by a person searching for an organ or a voluntary compensation as a token of appreciation is a matter still under consideration and Ijtihād. EIGHTH: All the cases and forms other than the above cases, relevant to the issue, are still under research and consideration. They should be submitted for examination at the next session, in the light of medical data and Shariah rulings.

Indeed, Allāh is All-Knowing.

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## Resolution No. 27 (2/4)

### Payment of Zakāh to the Islamic Solidarity Fund

The Council of the International Islamic Fiqh Academy of the Organization of the Islamic Conference, holding its 4th session in Jeddah, Kingdom of Saudi Arabia on 18–23 Jumādā al-Akhira 1408H (6–11 February 1988), HAVING REVIEWED the explanatory note on the Islamic Solidarity Fund (ISF) and its permanent Waqf status, submitted to the third session of the Academy, HAVING EXAMINED the research papers submitted to the Academy concerning the Payment of Zakāh to the Islamic Solidarity Fund, Resolves

FIRST: It is not permissible to remit Zakāh to the Waqf Fund of the Islamic Solidarity Fund because this would lead to depriving the Zakāh funds of their legitimate beneficiaries defined in the Quran. SECOND: The ISF can act as an agent for individuals and institutions in channeling Zakāh to its legitimate beneficiaries under the following conditions:

- Shariah conditions for such agency should apply to both principal and agent.
- The ISF should amend its statutes and objectives so as to be qualified to undertake operations of this nature.
- The ISF should create a special account to handle funds received as Zakāh, so that they may not be mixed with other contributions received for purposes other than Zakāh.
- Zakāh funds should not be utilized to cover administrative expenses such as wages, salaries, or other expenditures that are

not among legitimate Zakāh beneficiaries.

e. The Zakāh payer has the right to choose the beneficiary among the eight known beneficiaries of Zakāh and the ISF – in such case – must conform to his wish.

f. The ISF shall commit itself to disburse such Zakāh funds to the beneficiaries as quickly as possible, within a maximum period of one year, so that beneficiaries may benefit from them in due course. Recommendations

EAGER to enable the Islamic Solidarity Fund (ISF) to fulfill its charitable ambitions (as stipulated in its statutes) and for which it was established, COMMITTED to the resolution of the 2nd Islamic Summit Conference, which created the ISF and established the mechanism of its financing through contributions from the Member States, CONSIDERING the sporadic remittances of voluntary contributions by some States, THE ACADEMY URGES Muslim countries, governments, institutions and wealthy individuals to perform their duty and strengthen the resources of the ISF so that it can fulfill its noble objectives in the service of the Ummah. Indeed, Allāh is All-Knowing. In the Name of Allāh, the Entirely Merciful, the Especially Merciful Praise is due to Allāh, Lord of the worlds, may the blessings and peace be upon our master Muḥammad, the last of prophets, on his family, and all his companions.

## Resolution No. 28 (3/4)

### Zakāh on Company Shares

The Council of the International Islamic Fiqh Academy of the Organization of the Islamic Conference, holding its 4th session in Jeddah, Kingdom of Saudi Arabia on 18–23 Jumādā al-Akhira 1408H (6–11 February 1988), HAVING EXAMINED the research papers submitted to the Academy concerning Zakāh on Company Shares, Resolves

FIRST: Zakāh on shares is an obligation upon their shareholders. The company's governance must pay zakāh on their behalf if any of the following conditions are met:

- If its statutes so stipulate,
- by resolution of the General Assembly,
- If the State's law (the law of the land) requires companies to pay zakāh,

- Or if a shareholder himself authorizes the company's governance to pay zakāh on his behalf.

SECOND: The company's governance must pay zakāh on its shares in the same manner as person pays zakāh on his wealth. In other words, it shall pay zakāh on the assumption that the capital of all shareholders is the property of a single person, and calculate zakāh accordingly, taking into account the type and value of assets subject to zakāh, its percentage and any other consideration relevant to the zakāh of a physical person according to the principle of mixed assets generally accepted by some Fiqh scholars concerning all assets.

In calculating zakāh, the company shall take due account of shares not liable to zakāh, such as shares owned by the Public Treasury, Waqf institutions, charitable organizations as well as non-Muslim shareholders, and make the necessary deductions.

THIRD: 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 the shareholder has no way of knowing these pieces of information for the calculation of the amount due, then:

- 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, in conformity with the Academy resolution no. 2 (2/2) concerning Zakāh on Rented Real Estates and Non-Agricultural Leased Lands. The owner of such shares is not required to pay Zakāh on the assets of shares, but only on the dividends, which is at a rate of ¼ of 1/10 after the elapse of one year from the date of the actual reception of the dividends, provided that all other conditions are met and no impediment exists.

- If, on the other hand, the shareholder has invested in shares for business purposes, then his shares are subject to Zakāh as commercial goods. If they are still in his possession after the elapse of one year period, he shall pay Zakāh on their market value; however, if there is no stock market, he will pay Zakāh on their value as appraised by qualified experts. He will pay ¼ of 1/10 (2.5%) of their market value plus their dividends, if they yield any dividend.

FOURTH: If the shareholder sells his shares during the year, he will add their price to his wealth and should pay Zakāh on the total of his wealth at the end of the year. The buyer, on the other hand, shall pay Zakāh as mentioned above.

Indeed, Allāh is All-Knowing.

### Resolution No. 29 (4/4) Expropriation for Public Interest

Text The Council of the International Islamic Fiqh Academy of the Organization of the Islamic Conference, holding its 4th session in Jeddah, Kingdom of Saudi Arabia on 18–23 Jumādā al-Akhira 1408H (6–11 February 1988), HAVING EXAMINED the research papers submitted to the Academy concerning Expropriation for Public Interest, IN LIGHT OF the well established Shariah principle about the sanctity of individual property, which has become a necessary legal foundation of the religion, HAVING CONSIDERED that preservation of property is one of the five purposes of Shariah which it endeavors to preserve and that it has several references in the Quran and the Sunnah, HAVING RECALLED the conclusive proofs provided by the Sunnah, the practices of the Companions R.A.A. and that of subsequent generations, concerning the expropriation of real estate for the sake of public interest; in implementation of the general principles of Shariah which require safeguarding public welfare, regarding general needs as a necessity and sustaining personal damage to avoid public damage, Resolves

FIRST: Private property must be protected from any aggression. It is not permissible to narrow the scope of protection or to limit it. The owner is the absolute master of his property. He has full right to exploit it as he wishes, by legitimate means and benefit from all its lawful fruits. SECOND: No property should be confiscated for the public interest, except with due respect to the following Shariah conditions:

- Expropriation of real estate is done by providing immediate and fair compensation, determined by qualified experts, and such compensation is not less than the market value of a similar property.
- The expropriation should be carried out by the public authority or its representative in this field.
- Expropriation is made for public interest, in response to public need, such as building mosques, roads or bridges.

- The expropriated real estate shall not be exploited for private or public investment projects and expropriation should not be carried out prior to its justifiable time. If all or some of these conditions are violated, the expropriation of real estate will be regarded as an act of injustice and seizure prohibited by Allāh the Almighty and His Prophet (PBUH). If the property subject to expropriation for public interest is no more needed for that purpose, the original owner of the property or his heirs have a pre-emption right to repurchase it for a fair compensation. Indeed, Allāh is All-Knowing. In the Name of Allah, the Entirely Merciful, the Especially Merciful Praise is due to Allāh, Lord of the worlds, may the blessings and peace be upon our master Muḥammad, the last of prophets, on his family, and all his companions.

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### Resolution No. 30 (5/4) Muqāraḍah Bonds and Investment Certificates

Text The Council of the International Islamic Fiqh Academy of the Organization of the Islamic Conference, holding its 4th session in Jeddah, Kingdom of Saudi Arabia on 18–23 Jumādā al-Akhira 1408H (6–11 February 1988), HAVING EXAMINED the research papers submitted to the Academy concerning Expropriation for Public Interest, IN LIGHT OF the well established Shariah principle about the sanctity of individual property, which has become a necessary legal foundation of the religion, HAVING CONSIDERED that preservation of property is one of the five purposes of Shariah which it endeavors to preserve and that it has several references in the Quran and the Sunnah, HAVING RECALLED the conclusive proofs provided by the Sunnah, the practices of the Companions R.A.A. and that of subsequent generations, concerning the expropriation of real estate for the sake of public interest; in implementation of the general principles of Shariah which require safeguarding public welfare, regarding general needs as a necessity and sustaining personal damage to avoid public damage, Resolves

FIRST: Private property must be protected from any aggression. It is not permissible to narrow the scope of protection or to limit it. The owner is the absolute master of his property. He has

full right to exploit it as he wishes, by legitimate means and benefit from all its lawful fruits.

SECOND: No property should be confiscated for the public interest, except with due respect to the following Shariah conditions:

- Expropriation of real estate is done by providing immediate and fair compensation, determined by qualified experts, and such compensation is not less than the market value of a similar property.
- The expropriation should be carried out by the public authority or its representative in this field.
- Expropriation is made for public interest, in response to public need, such as building mosques, roads or bridges.

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### Resolution No. 31 (6/4) Key Money (Badal Khuluw)

Text The Council of the International Islamic Fiqh Academy of the Organization of the Islamic Conference, holding its 4th session in Jeddah, Kingdom of Saudi Arabia on 18–23 Jumādā al-Akhira 1408H (6–11 February 1988), HAVING EXAMINED the research papers submitted to the Academy concerning Key Money (Badal Khuluw), Resolves

- The key money agreement can be obtained in four different methods:
  - The agreement between the owner of the real estate and the lessee at the inception of the contract.
  - The agreement between the owner of the real estate and the lessee during the lease period or at the end of it.
  - The agreement between the original lessee of the real estate and the new lessee during the lease period or at the end of it.
  - The agreement between the new lessee and both the owner and the first lessee, concluded before or after the expiration of the lease period.
- If the owner and the lessee agree that the latter, in addition to the periodic rental, shall pay a lump sum (referred to in some countries as key money), there is no objection in Shariah to such an operation, provided that it is part of the rental for the lease period agreed upon. In the event the contract is terminated, the paid lumpsum shall be treated according to the rules applicable to rent.
- If, during the lease period, the owner and the lessee agree that the owner

shall pay a given amount to the lessee, against the acceptance by the latter to move from the premises for the remaining period of the lease contract. This form of key money is permitted by Shariah because it compensates the lessee for waiving his occupancy rights.

However, if the lease expires and the contract is not renewed, either explicitly or implicitly, by virtue of an automatic renewal clause, key money is not allowed, for the simple reason that the owner is entitled more than anyone else to recover his property once the lease contract expires.

4. If, during the lease period, the first lessee and the new lessee agree that the former shall evacuate the premises for the remaining period of his lease contract, against payment of an amount above the periodic rental, key money is permitted by Shariah, provided the terms of the contract concluded between the owner and the first lessee are strictly observed and the laws in force are fully compliant with Shariah. With respect to long-term leases, unlike short term rental contracts, which are concluded under some laws, the lessee is not permissible to rent the premise to another lessee, nor accept key money, unless authorized by the owner. However, if the agreement between the first and the new lessee after the expiration of the lease period, key money is not allowed, because the first lessee's right to use the premises has expired.

Indeed, Allāh is All-Knowing.

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### Resolution No. 32 (7/4) Sale of Trade Name and License

Text The Council of the International Islamic Fiqh Academy of the Organization of the Islamic Conference, holding its 4th session in Jeddah, Kingdom of Saudi Arabia on 18–23 Jumādā al-Akhira 1408H (6–11 February 1988), HAVING EXAMINED the research papers submitted to the Academy concerning the Sale of Trade Name and License, HAVING NOTICED the different ways in which this issue was addressed by different researchers and in the technical terminologies that differed according to the language from which these formulas have been translated, resulting in a confusing multiplicity of issues and conflicting opinions, Resolves

FIRST: To postpone the examination of this topic to the fifth session of the Academy, pending further research on all related aspects,

with due consideration to the following:

a. Follow a similar methodology in the preparation of the research papers, starting with an introduction to the issue, then determining the scope of the research using all the current terminology and their synonyms.

b. Refer to relevant historical precedents, legal and juristic opinions that may clarify the issue and ensure the accuracy of classification. SECOND: To include the issue of Sale of Trade Name and License in a broader subject, such as Incorporeal Rights so as to be able to introduce other related concepts, including copyright, patent rights, inventor's rights, author's rights, industrial and commercial design patents and trademarks, etc. under one heading so that the research paper would be more precise and of greater benefit. THIRD: To focus research papers on a specific right among those quoted above, or the researchers may extend the scope of their study to cover, within its general structure, a similar terminology. Indeed, Allāh is the Giver of success.

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### Resolution No. 33 (8/4) Hire-Purchase Contract, Murābahah to the Purchase Orderer and the Changing Value of Currency

Text The Council of the International Islamic Fiqh Academy of the Organization of the Islamic Conference, holding its 4th session in Jeddah, Kingdom of Saudi Arabia on 18–23 Jumādā al-Akhira 1408H (6–11 February 1988), HAVING EXAMINED the studies and research papers submitted to the Academy concerning Hire-Purchase Contract, Murābahah to the Purchase Orderer and Changing Value of Currency, Resolves

1. To postpone the examination of these subjects until its next session for further research.

2. To request the Secretariat General of the Academy to examine the first two issues and compile all research on "Hire-Purchase contracts," as well as all related resolutions adopted by the first symposium held in 1407H (1987) by the Kuwait Finance House, and research papers on "Murābahah to the Purchase Orderer," submitted to the seminar on the Investment strategy of Islamic Banks, held in Amman, Hashemite Kingdom of Jordan, in 1407H (1987), in cooperation with the Islamic Research and Training Institute of the Islamic Development Bank (IDB) and the Royal Academy for Islamic Civilization.

Indeed, Allāh is All-Knowing.

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### Resolution No. 34 (9/4) Baha'ism

Text The Council of the International Islamic Fiqh Academy of the Organization of the Islamic Conference, holding its 4th session in Jeddah, Kingdom of Saudi Arabia on 18–23 Jumādā al-Akhira 1408H (6–11 February 1988), BASED ON the resolution adopted in the 5th Islamic Summit Conference held in Kuwait on 26–29 Jumādā al-Ūlā in 1407H (26–29 January 1987), the Council of the Academy was requested to issue a ruling regarding the destructive sects which are incompatible with the teachings of the Quran and Sunnah. HAVING CONSIDERED the dangers it poses to the Ummah and the support it receives from anti-Islamic entities, HAVING LISTENED to the in-depth discussions regarding the core beliefs of this sect and after ascertaining that al-Baha, the founder of this sect:

- claimed to be a messenger,
  - claimed that what he has authored is a revelation that was sent down to him,
  - called all the people to believe in his prophethood,
  - rejected that the Messenger of Allāh (PBUH) is the seal of the messengers,
  - said that the books that have been revealed to him abrogate the Noble Quran,
  - believed in reincarnation,
- IN LIGHT OF what al-Baha has deliberately changed and abolished from the many subsidiary matters of Fiqh, such as:
- changing the amount of the prescribed prayers and their timings, by increasing them to nine prayers that are to be performed at three specific times (three prayers at each specific time), during the morning, during the afternoon and at sunset.
  - changing the Tayammum (the ablution performed in the absence of water or due to medical necessity) by saying Bismillah al-Athar al-Athar (In the name of Allāh, the purest, the purest),
  - changing the number of days of fasting (in Ramadan) to nineteen days that ends on the Celebration of Nayruz on the twenty-first of March, every year,
  - changing the Qibla (direction of prayer) to the house of al-Baha located in Acre, in occupied Palestine,
  - prohibiting Jihad,
  - abolishing the capital punishments,
  - making the men and women equal in regard to the amount they receive in inheritance,



• making usury permissible, HAVING EXAMINED the research papers concerning the Areas of Islamic Unity which warned against destructive movements that split the Ummah, disrupts its unity and breaks it into sects and parties, which leads to apostasy and being distant from Islam, Resolves

Considering the claims of al-Baha's prophethood, the claims that he received a revelation that the books revealed to him abrogated the Quran, that he has changed many of the established Shariah rulings, that he has rejected matters that are known to be essential matters of the religion, As a result of these matters, the rulings of the disbelievers are applied to him by consensus of the Muslims. Recommendation

Islamic organizations all over the world must confront this heretical trend whose objective is to undermine the Islamic creed, legislation and way of life. Indeed, Allāh is All-Knowing.

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### Resolution No. 35 (10/4) Fiqh Simplification Project

Text The Council of the International Islamic Fiqh Academy of the Organization of the Islamic Conference, holding its 4th session in Jeddah, Kingdom of Saudi Arabia on 18–23 Jumādā al-Akhira 1408H (6–11 February 1988), HAVING STUDIED the special committee's report on the Fiqh Simplification Project, including the outline plan, HAVING REVIEWED the report prepared by the sub-committee established during the present session to review the project and its recommendations, to approve the above-mentioned plan and entrust the Secretariat General of the Academy to follow-up its implementation, Resolves

To approve the plan outlined in the report of the project's committee, as amended by the sub-committee, and entrust the Secretariat General of the Academy to follow-up its implementation. Indeed, Allāh is the Giver of success.

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### Resolution No. 36 (11/4) Project for an Encyclopedia of Economic Fiqh

The Council of the International Islamic Fiqh

Academy of the Organization of the Islamic Conference, holding its 4th session in Jeddah, Kingdom of Saudi Arabia on 18–23 Jumādā al-Akhira 1408H (6–11 February 1988), HAVING STUDIED the report presented by the drafting committee of the executive program for an Encyclopedia of Economic Fiqh, outlining the proposed implementation stages, and a structure of the group pre-selected to launch the project through "Contributions/ Participation Group" and their outline plans, HAVING CONSIDERED the report prepared by the sub-committee established in the present session, to examine the project of Encyclopedia of Economic Fiqh, HAVING REVIEWED the report's recommendations to approve the amendment of the executive plan, including the additional topics and reference work it has proposed, Resolves

To approve the executive plan of the project as outlined by the drafting committee, and as amended by the sub-committee, and entrust the Secretariat General of the Academy to follow-up its implementation. Indeed, Allāh is the Giver of success.

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### Resolution No. 37 (12/4) Project for a Glossary of Fiqh Maxims

Text Text Text Text Text Text Text Text Text Text The Council of the International Islamic Fiqh Academy of the Organization of the Islamic Conference, holding its 4th session in Jeddah, Kingdom of Saudi Arabia on 18–23 Jumādā al-Akhira 1408H (6–11 February 1988), HAVING EXAMINED the report prepared concerning the project of a Glossary of Fiqh Maxims, HAVING REVIEWED the report submitted by the committee established in this session to examine the project and its implementation phases, including the final draft of the project and its seven implementation phases, HAVING CONSIDERED the diverse opinions expressed regarding the first and fifth implementation phases, Resolves

1. To approve the final draft for the project of Glossary of Fiqh Maxims, as well as the implementation phases agreed-upon by the drafting committee.
2. To entrust the Secretariat General of the Academy to select, among the two opinions expressed on the first and fifth phases of the

implementation, the one it deems the most appropriate and to monitor its implementation. Indeed, Allāh is the Giver of success.

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### Resolution No. 38 (13/4) Combatting Moral Evils, Areas of Islamic Unity, Methods of Benefiting from them, and the Islamization of Education in the Muslim World Today

Text The Council of the International Islamic Fiqh Academy of the Organization of the Islamic Conference, holding its 4th session in Jeddah, Kingdom of Saudi Arabia on 18–23 Jumādā al-Akhira 1408H (6–11 February 1988), Firstly:

HAVING REVIEWED the research papers submitted to the Academy concerning the means of combating immorality, explaining the sufferings of the world at large from the effects of immorality that has infiltrated the Muslim world in a way displeasing to Allāh the Almighty, in addition to being incompatible with the vanguard role assigned to the Ummah, namely, to lead mankind towards a sincerity in actions, ethics and behavior, IN HARMONY with the complimentary qualities of Islam; given the fact that ethics are one of the most important aspects of religion and that the privilege of belonging to Islam can only be realized when all principles and provisions of Shariah are applied in all fields of life, Recommends

- a. That efforts be exerted to straighten out and strengthen the religious doctrinal incentive through a comprehensive program promoting an awareness of the spiritual benefits accruing from a sound doctrine.
- b. That efforts be made in the Muslim world to clear all media, press, television and radio, as well as commercial ads, of any factor that stimulates lustfulness, causes deviations and leads to immorality.
- c. That a practical plan be worked out to safeguard the Islamic originality and heritage; abort all attempts to westernize and eliminate Islamic identity; to face all forms of challenges, to combat intellectual and cultural invasion that does not conform to Islamic principles and ethics. Strict Islamic censorship be enforced on tourist activities and scholarship abroad in order to avoid the impairment of the Islamic personality and ethics.

d. That education must be Islam-oriented; that all sciences be taught from an Islamic perspective; that religious subjects be basic subjects at all stages and all specialties; in order to uphold the Islamic doctrine and consolidate Islamic ethics in spirit and enable the Ummah to remain at the vanguard in all fields of science constantly.

e. That the Muslim family be raised in a sound manner; that marriage be facilitated; that parents be urged to provide their children with a proper upbringing and rear a strong generation, truly venerating the Almighty, continuously propagating and upholding Islam; that women be trained to undertake their role as mother and housewife; and that an end be put to the growing phenomenon of resorting to foreign governess, in particular non-Muslim governess.

f. That all measures be taken to ensure that youth is provided with an Islamic education, that enables them to abide by the tenets of Islam and its moral code of conduct, always aware of their duty towards The Almighty and to their country, and able to ridding themselves of the spiritual void which incites them in indulging in drugs and spirits and all forms of licentiousness. Youth should be involved in their national affairs and be given responsibilities, each according to his abilities and competence; that they be encouraged to fill their leisure time with useful activities and that wholesome recreation activities, sports, and competitions be encouraged and directed to true Islamic orientation. Secondly:

HAVING REVIEWED the research papers submitted to the Academy regarding the areas of Islamic unity and how to benefit from them, and taking into account the primordial importance of the bond of Islam for the people of the Ummah: an indivisible bond, a sound foundation for the desired solidarity and a solid basis for any civilizational edifice that aims at closing the ranks of the Ummah, coordinating the efforts exerted to stand up to contemporary challenges and securing dignity and progress, HAVING CONSIDERED that the bond of Islam is a strong incentive and an unfailing factor which can direct and coordinate the policies of Muslim states in the various fields of social and economic development and strengthen solidarity, cooperation, and reciprocal sympathy among the peoples of the Ummah, so that they may get rid of all forms of dependence which impede the fulfilment of their aspirations to progress, invulnerability and prosperity, Recommends

a. That the Islamic faith be upheld and cleared of all alterations; to warn against any attempt to undermine it or sow doubt about its principles, fragment the ranks of Muslims and set them against each other.

b. That emphasis be laid on the importance attached by the Islamic Fiqh Academy to Islamic research and Fiqh studies which stimulates the

ability to stand up to intellectual challenges kindled by contemporary exigencies, and on the great interest taken by Islamic Fiqh in the problems of society; that Islamic Fiqh be considered a vital factor in the intellectual renaissance of the Ummah, and that it may be more closely associated with the plans worked out and legislation enacted by Muslim countries in all fields that affect society.

c. That closer coordination be ensured as regards to contents and methodology of education curricula, to secure compatibility with the sound intellectual civilization developed by Islam, with a view to rearing a generation of Muslims who draw their faith from the same sources, abide by the same conceptual orientation and share the same pride in their civilizational affiliation.

d. That a higher order of priority be given to scientific research in the various fields of knowledge, and that 1% of the GNP be appropriated for the financing of research programs and establishment of scientific laboratories, on the basis of coordination and cooperation among Muslim world's universities.

e. That education programs comprising a number of major themes shall be worked out in collaboration with Islamic Universities, to be aimed at Fiqh studies. Furthermore, a higher committee of Muslim scholars shall be established to follow up and approve these research activities and establish a Prize of Merit to be awarded to the best research.

f. That all information media, whether press, television or radio in the lands of Muslims have always as objective to instill veneration of Allāh in this world, in addition to cementing unity, spread good, encourage virtue and shun principles that abet heresy, vitiate both thought and morals and lead to deviation from the straight path.

g. That an Islamic economy be established which emanates neither from East nor from West, but an absolutely Islamic economy and a common Islamic market be set up, where Muslims would cooperate in their production activities, and in marketing their goods on their own, without resorting to other parties, because the economy is the backbone of any society, and its integration will chart a course of unity for the Ummah. Thirdly:

HAVING CONSIDERED that the Islamization of education in Muslim countries is today an imperative need without which Muslim generations cannot be shaped into a harmonious edifice, integrated in thought, outlook, behavior and action. Towards this end, Recommends

All sciences must be put within an Islamic context, both premise and objective, within a framework of Islamic tenets, and that Islam, by its systems and rules, is a reference. The Islamic creed must underline the formulation of this educational and pedagogical curriculum. The main characteristics of the "Islamization

of education" may be summarized as follows:

a. That the Islamic Faith builds the foundation for greater Islamic ideas, which provide an overall view of the universe, man and life, and teaches man who his Creator is, the submission of the universe to the Almighty, and man's relation with his Creator and with society.

b. That Islam be the pivot of social, human, economic and political sciences; that the human theories of Islam be put in focus and related to the creation of the universe, of man and life; that this be undertaken in coordination with the Islamic Organization for Medical Sciences of Kuwait, and the Islamic Educational, Scientific and Cultural Organization (ISESCO).

c. That emphasis be laid on the noxiousness of materialistic and heretical sciences which are in contradiction with the Islamic creed, and of misleading habits, such as fortune telling, magic, witchcraft and astrology; that a warning be sounded against any science denounced and prohibited by Islam, as well as sciences that have inherent sinfulness and iniquity.

d. That the history of science and knowledge be reformulated to lay emphasis on their development and the contribution made thereto by Muslims, as well as to clear them of eastern and western theories that infiltrate into them to deviate the historical path of truth; that the classification of sciences and research curricula be reviewed from an Islamic angle, through Islamic scientific centers and institutes and centers for Islamic economy, in the various Muslim countries.

e. That sciences which deal with the universe, man and life have their relationship with the Creator restored. Scientific researchers who deal with these fields must view them as the product of His work's divine beautiful creation and perfection.

f. That the criteria, standards and rulings emanating from Islam, or in consonance with its objectives be the principles governing all sciences; that the shortcomings of western curricula be stressed, those which alleged a schism between religion and sciences, or have established some sciences on false premises, such as history, economy and social sciences. It should be recalled that a project does exist that could provide a basis for the Islamization of education; indeed, it could be one of its essential instruments, namely the project of "Islamization of knowledge." The International Institute of Islamic Thought is working out a plan on this issue as well as an implementation program through articles, publications and seminars. Indeed, Allāh is the Giver of success.

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## Secretary General Engages in Conference on Fatwas in Contemporary Societies



H.E. Prof. Koutoub Moustapha Sano, Secretary General of the International Islamic Fiqh Academy of OIC, participated as a guest speaker in the Conference on Fatwas in Contemporary Societies, organized by the Islamic Council of Singapore in collaboration with the office of the Mufti in



Singapore. On Saturday, February 2nd and 3rd, 2024, he delivered a keynote speech titled: "Designing Collaborative and Interdisciplinary Approaches in Developing Nuanced and Contextualized Fatwas." He commenced his address by expressing sincere gratitude to the Republic of Singapore for selecting such a pertinent and crucial theme for the conference. He also conveyed his pleasure in participating in this significant event, which explores various approaches

and methodologies used to update fatwas and develop fatwa institutions in diverse contexts. He underscored the historical significance of fatwas as the primary source for Muslims to understand Sharia provisions regarding calamities and developments. He emphasized its pivotal role in shaping the contemporary Muslim mindset, defining its identity, and its perception of society and the world. According to him, the task of explaining Sharia rulings is entrusted to a select group of scholars possessing both Sharia knowledge and an understanding of reality, emphasizing the sacredness of this profession throughout history due to its influence on ongoing issues and innovations. Regarding the importance of fatwa and its methodology, he highlighted its modern-day practice through various media platforms, stressing the need for a Sharia-based framework to protect the profession from unauthorized individuals issuing aberrant fatwas. He emphasized the responsibility to hold accountable those who jeopardize public well-being and

manipulate religious beliefs through unlawful fatwas on public matters. Furthermore, he provided an overview of the Academy's methodology in issuing fatwas, focusing on systematic resolutions and recommendations aimed at providing Sharia-compliant solutions to contemporary issues faced by Muslims worldwide. He urged Ifta bodies and institutions to utilize information and communication technologies (ICT) to disseminate fatwas while exercising caution to avoid confusion and inconsistency. Given Singapore's diverse society, he called for institutionalized fatwas to prevent contradictions and conflicts, advocating for the utilization of modern technologies to advance the fatwa renaissance and discourage individualized fatwas. His Excellency stressed the importance of diligent work and wise thinking to align with developments and changes in all aspects of life, emphasizing their service to Islam, Muslims, and humanity. He concluded by inviting fatwa institutions to recall the five values to rationalize and guide contemporary fatwa institutions: institutionality, credibility, relevance, methodology, and professionalism. Additionally, he expressed hope for the realization of societies based on values of love, brotherhood, tolerance, harmony, and lasting peace.



## Secretary General Collaborates with Singapore Minister of Social and Family Development



As part of the International Islamic Fiqh Academy's initiatives to cultivate relationships with educational institutions and Fiqh Academies globally, particularly within Muslim communities, H.E. Dato' Professor Koutoub Moustapha Sano, Secretary General of the Academy, visited the Singaporean Minister of Social and Family Development, Second Minister of Health & Minister in-Charge-of-Muslim Affairs, H.E. Masagos Zulkifli. The meeting occurred in the Minister's office adjacent to

Singapore's historic Sultan Mosque on February 2nd, 2024, following the Jumuah prayer. Upon arrival, Professor Sano received a warm welcome from the Honourable Minister, accompanied by the CEO of MUIS, Mr. Kadir Maideen. Professor Sano expressed gratitude to the Honourable Minister for the warm reception and hospitality, acknowledging the opportunity to meet despite the Minister's busy schedule. In return, the Minister expressed appreciation for Professor Sano's visit and delegation, acknowledging their

participation in the Conference on Fatwa in Contemporary Societies in Singapore, organized under the auspices of MUIS and the leadership of the Ministry of Social and Family Development. During the meeting, H.E. Professor Sano reaffirmed the International Islamic Fiqh Academy's dedication to collaborating with educational institutions, the Islamic Council of Singapore, the Office of the Mufti, and other relevant organizations. Their collective focus would be on promoting social cohesion, peaceful coexistence, and issuing pertinent fatwas to tackle the emerging challenges of the contemporary world. Dr. Alhagi Manta Drammeh, Head of International Cooperation and External Relations at the Academy, also participated in the meeting.



## Secretary General participates in Fiqh and Financing Roundtable in Singapore



As part of the efforts of the International Islamic Fiqh Academy to engage with educational institutions and Fiqh Academies regionally and international in Muslim countries and within Muslim communities, its Secretary General, H.E. Dato' Professor Koutoub Moustapha Sano and his delegation visited the Republic of Singapore between 31st January and 04th February 2024 at the kind invitation of Islamic Council of Singapore (MUIS). Upon his arrival, H.E. Professor Sano was received by the Mufti of Singapore, Deputy Muftis of Singapore and several officials from both MUIS and the Office of the Mufti. In his first official meeting with the officials of MUIS on 01st February, Professor Sano was received by the Deputy Chief Executive Office of MUIS, Dr. Albakri Ahamd, Dr. Muhammad Hanan Deputy Mufti of Singapore, Dr. Murad Arif, Deputy

Mufti, Dr. Tuty Rahan Mostarom, Head Higher Education and Research at MUIS, Ms. Farah Aljuniad, Director of Education and Research at MUIS and other officials. The Muftis and officials of MUIS expressed their delight at the visit of Professor Sano reiterating the extensive knowledge of their honourable guest Professor Sano and the benefit they can gain from his vast expertise in Islamic law and particularly Islamic finance as Singaporean Muslim community is exploring new Islamic products and tools for investment to further bolster the role of the community in playing a dynamic and proactive part in the socio-economic and socio-political development in Singapore. During the Roundtable titled: Fiqh and Finance: Empowering Muslims in Navigating a New Economic Paradigm with Emerging Financial Tools chaired by Ms. Farah Aljuniad, Director of Education and Research at MUIS, Professor Sano highlighted the fact that The Islamic financial instruments if utilized well, they can be vital in the drive towards sustainable development focusing on social development, political development, economic development and environmental development. Speaking of Singapore, Professor Sano emphasised that

Singapore as a multi-religious and multi-ethnic country, scholars, Ulama and policy makers alike should create the conducive environment that peace thrives. He stressed the need to develop a discourse and narrative that promotes harmony, social cohesion and peaceful coexistence. There is a need for a group of well-established scholars who meet the conditions of rightful Ijtihad, which makes their opinion accepted and considered. During the question-and-answer session, participants raised important questions with regards to governance, social justice, the interpretation of the text and its contextualization for clarification and elaboration by Professor Sano. The meeting was attended by Ms. Sara Amjad Bedewi Director of Family, Women, Childhood and Elderly Department and Dr. Alhagi Manta Drammeh, Head of International Cooperation and External Relations at the Academy.





## UK's Lord Tariq Mahmood Ahmad visits Academy's headquarters in Jeddah



Lord Tariq Mahmood Ahmad of Wimbledon, Minister of State for the Middle East, North Africa, South Asia, Commonwealth and the United Nations at the Foreign Commonwealth and Development Office of the United Kingdom visited the Academy on Wednesday 14th February 2024 at the headquarters of the International Islamic Fiqh Academy in Jeddah. Lord Tariq was received by His Excellency Professor Koutoub Moustapha Sano, the Secretary General of the Academy. Lord Tariq thanked Professor Sano for the hospitality and the kind reception to the Academy noting the pivotal role of the Academy in correcting misconceptions and misrepresentations about the noble message of Islam in terms of peaceful coexistence, moderation and social cohesion. Lord Tariq added that his visit to the Academy is another

step in the direction of further collaboration between the Academy and British institutions in promoting the values of moderation and understanding and believes that the role of the Academy can be crucial in providing guidance and assistance on issues of interpretation and its contextualisation. Lord Tariq particularly highlighted the importance of education of girls, combating extremism and exploring the development of Islamic finance instruments in the United Kingdom. Professor Sano welcomed his honourable guest and his delegation for this important visit to the Academy by a senior British official and his delegation, welcoming the idea of further collaboration between the Academy and British Institutions on educational and academic issues, as well as the promotion of moderation and peaceful existence. Prof. Sano Added: "The Academy represents fifty-seven member states of the OIC and it is the primary global reference globally on intellectual and jurisprudential issues and IIFA's resolutions and recommendations are far-reaching and impactful". On the question of Israeli-Palestinian conflict, both Professor Sano and Lord Tariq reiterated that the UN Resolution on a two-state solution is the way forward to end the conflict. At the end of the meeting, Lord Tariq

extended a kind invitation to Professor Sano to visit the United Kingdom in order to further discuss areas of collaboration. The delegation participating in the meeting, included Mrs Cecille El Beledi, the British Consul General in Jeddah, Mr Jonathan Willis, Assistant Private Secretary for Minister Lord Tariq, Mr Thomas Allen, the Deputy Head of Department, Gulf Countries & Iraq, Ms Rachel Parker, 2nd Secretary at the British Embassy in Riyadh and Mr Omar Saeed, Senior Trade Officer at the British Consulate General. It was also attended by Mr. Mohamed Chouk, Director of Cabinet, Protocols, and Legal Affairs, Ms. Sarah Bedewi, Director of the Family, Women, Childhood and Elderly, Mr. Saad Sammar, Media Division Head and Dr. Alhagi Drammeh, Head of International Cooperation and External Relations Division at the Academy.



## IIFA signs MoU with Islamic Council of Singapore

The International Islamic Fiqh Academy and the Singapore Islamic Council signed an MoU on Thursday 10 Rajab 1445, corresponding to 1 February 2024. The signing ceremony brought together H.E. Prof. Koutoub Moustapha Sano, Secretary General of the International Islamic Fiqh Academy, and H.E. Mr. Kader Mohiuddin, Executive Director of the Singapore Islamic Council, with the presence of H.E. Mr. Masagos Zulkifli, Minister of Social Development and Minister in charge of Islamic Affairs in Singapore. This MoU came to reflect IIFA's efforts to strengthen relations with fatwa authorities, fiqh academies and Islamic councils in the Muslim world and beyond in order to avoid contradictory and conflicting opinions on the same issues, and to provide intellectual and scientific support to Muslim communities outside the Muslim world in a way that preserves the values of Islam, its culture and traditions, while maintaining their Islamic identity, complying with the requirements of citizenship and residence in non-Muslim societies. After the MoU was signed, the Secretary General expressed his delight, stating, "I am profoundly pleased to formalize this agreement with the esteemed Singapore Islamic Council, which capably oversees Islamic affairs and the Muslim community in the Republic of



Singapore. It serves as a vital link between the state and its Muslim population, distinguished by its efficiency, professionalism, and remarkable ability to promote harmony and unity within society. The IIFA stands fully prepared to offer comprehensive intellectual and scientific support to the Council, particularly in the areas of research, studies, conferences, and seminars." In response, the Executive Director of the Singapore Islamic Council expressed immense pride in signing this MoU with the Academy, representing one of the foremost contemporary authorities in jurisprudence. The Academy's resolutions and recommendations hold global respect and admiration. He expressed hopes that this agreement would mark the beginning of extensive cooperation and a lasting partnership between the two institutions, focusing on research in fatwa and the examination of contemporary issues, as

well as the optimal utilization of the Academy's resolutions and recommendations on various issues and questions. The primary objectives of the MoU include bolstering collaboration between the two institutions in the realm of fatwa research and contemporary issues, facilitating exchange visits, promoting scientific publications, and jointly organizing seminars and conferences on Sharia-related topics and questions. Additionally, the MoU aims to promote the principles of moderation, tolerance, coexistence, and openness. The signing ceremony attracted participants from an international conference on Contemporary Fatwa organized by the Singapore Islamic Council. Accompanying His Excellency at the ceremony were Ms. Sarah Amjad Bedewi, Director of Family, Women, and Children Affairs and Supervisor of his Office, Dr. Hajj Manta Drameh, Head of International Cooperation and External Relations.



## At 15th IEF Event, S.G. stressed Islamic Economics' Inclusion of Optimal Solutions



H.E. Koutoub Moustapha Sano, Secretary General of the Academy, took part in the dialogue session of the 15th Conference on Islamic Economics and Finance (IEF) on “The Role of Social Responsibility in Funding a Sustainable Human Economy”, on Wednesday 11 Sha’aban 1445, corresponding to 21 February 2024, in KLM, Malaysia. His Excellency expressed his thanks to the conference organizers, the Central Bank of Malaysia, the Association of Islamic Economics Scholars, and IIUM’s Faculty of Economics and Management for the warm reception and hospitality. He spoke about the devastating effects of the grinding and terrible wars in some countries such as the ongoing civil war in Sudan, Ukrainian-Russian war, and the genocidal war in Gaza, indicating the catastrophic implications of these conflicts for the global economy, calling upon scholars and policymakers to pursue economic policies and programs to promote sustainability. His Excellency then spoke about the objectives of Islamic economy, which aims to achieve the general well-being of individuals, society and humanity as a whole, saying: “Islamic economy does not only aspire to fulfill individuals’ material needs, but also aspires to fulfill social and spiritual needs, and thus aims to achieve the general well-being of the individual, society and humanity as a whole. There is an urgent need for Islamic economy to become effective and to contribute to the concrete and comprehensive development of the individual and society. Many texts in the Quran and Sunnah exhort believers to work and encourage them to invest and develop

money and consider all this as a kind of legitimate, sacred, and obligatory worship to combat poverty, destitution and oppression. Regarding the sustainable economy, His Excellency emphasized: “Sustainability in the Islamic economy is essential to the development of the human economy and is closely linked to what is known as corporate social responsibility, where there is purposeful cooperation between companies’ owners and the communities in which they operate to combat poverty and destitution, achieve well-being and comprehensive development, by eliminating corruption and favoritism, by promoting good governance, and protecting the environment and ecosystem, thus contributing to growth, supporting humanitarianism to relieve disaster victims, those affected during epidemics and displaced persons during conflicts, as well as fighting greed and individualism through several mechanisms known as financial institutions, such as zakat, waqf, testaments, donations, and so on. His Excellency called for the need to connect economic activity to moral responsibility, which means the need for economy to adhere to numerous values, the most important of which are mercy, justice, honesty, and piety...when satisfying the material, social and spiritual needs of the individual and society. He called for requiring companies to contribute to this moral, social responsibility for the well-being and development of societies by following the policies and regulations in force in their countries especially in national development and environmental

preservation. His Excellency also spoke on the purposes of Islamic economics, which are derived from the five purposes/maqasid of Sharia, especially the purpose of preserving wealth, which is represented by five purposes: (i) preserving the growth of wealth by work, investment, and production, (ii) preserving the circulation of money by prohibiting hoarding, monopoly, and any activity that does not lead to this goal, (iii) preserving justice by prohibiting any economic activity that includes injustice and aggression against others, such as usury, gambling, and facilitator, and (iv) preserving the clarity of economic activity and the knowledge of all parties to it. This means prohibiting any economic activity based on gharar and ignorance, and (v) maintaining stability, which is known today as sustainability, which means maintaining the continuity and quality of economic activity in order to achieve stability, permanence, comprehensive well-being, as well as combating poverty and destitution in societies. In the end, His Excellency reiterated that the best solution to economic issues that other economic theories failed to solve lies in returning to the values and objectives of Islamic economics, calling on researchers to enhance their understanding and awareness of Sharia’s objectives in general, and Islamic economics in particular, in order to providing solutions and suggestions capable of solving the economic dilemma faced by the inability of limited financial resources to meet the increasing needs of the individual and society; as per the Quran: “And there is no creature on earth but that upon Allah is its provision, and He knows its place of dwelling and place of storage. All is in a clear register.” (11:6), and the hadith of Prophet Mohammed (PBUH): “O people, fear Allah and be moderate in seeking a living, for no soul will die until it has received all its provision, even if it is slow in coming. So fear Allah and be moderate in seeking provision; take what is permissible and leave what is forbidden.”





## Secretary General chairs 2nd Session of 44th Al Baraka Islamic Economy Forum

H.E. Prof. Koutoub Moustapha Sano, Secretary General of the International Islamic Fiqh Academy, chaired the 2nd session of the 44th Al-Baraka Forum on “Maqasid Al-Shari’ah: The Governing Framework of Islamic Economics” on Wednesday 18 Sha’aban 1445, corresponding to 28 February 2024 held in Medina, Saudi Arabia. The session was titled “Investment Tools in the Framework of the Maqasid Al-Shari’ah.” His Excellency expressed his sincere thanks and appreciation to Al Baraka Islamic Economics Forum for their invitation. He congratulated its scientific committee on its meticulous choice of the title of this year’s forum, considering that Islamic economy needs a general framework that controls its flow and determines its interest. Nothing is more deserving of this than the Maqasid, and therefore, the symposium title is accurate and successful. His Excellency explained that there is a need to move from the general narrative on Maqasid al-Shari’ah (purposes or objectives of Sharia) and its importance for the Islamic economy to talk about applying Maqasid in Islamic economy, stressing that the intended Maqasid are those pertaining to financial transactions. This is why he referred to Ibn Ashur’s focused and comprehensive discourse of Maqasid in general and the Maqasid of financial transactions in particular and pointed out that any discourse on Maqasid Shari’ah in the field of Islamic economics before reading what Ibn



Ashur wrote is considered incomplete because Ibn Ashur is regarded as the only contemporary jurist who has developed a precise and deep understanding of this subject, which makes the need to benefit from his thought and views in this field urgent. His Excellency then spoke about the Islamic economic reality, which includes a Sharia classification of contemporary financial methods and transactions, stressing that the harmony of contemporary investment tools related to the results of human innovations whose owners aim to grow and increase wealth by investing it is justified by the Maqasid dimension as a fundamental pillar from which the jurisprudential adaptation starts to achieve Sharia classifications that achieves the objectives, goals, and meanings based on a prudent Ijtihad. His Excellency also pointed out that resorting to



Maqasid al-Shari’ah when talking about Islamic investment and its modern and renewable tools and methods highlights its importance in other issues of modern financial transactions and studying these tools and methods from specialists and experts by examining their Maqasid aspects, giving them more attention and grounding the legal opinion in it, is capable of eliminating many issues and answering many questions about the differences related to these modern investment methods. His Excellency spoke about the need for more Ijtihad on investment instruments and their contemporary methods through Maqasid Shari’ah, establishing its rulings, and rationalizing its variables. His Excellency declared: “Ijtihad on the matters of investment tools and modern investment methods through Maqasid has become a religious obligation today, and establishing its provisions has become a modern necessity, as well as guiding its issues, resolving its novelties, and rationalizing its variables, all of which have become a contemporary benefit, all which aim to preserve the supreme Maqasid in wealth and business, which represent the purposes of justice, prosperity, growth, clarity, and stability” His Excellency also pointed out the importance of the role of Maqasid al-Shari’ah in understanding Shari’ah texts, interpreting them correctly when applying them to reality, and helping to determine the meanings of words and their outcomes, as well as the exact meaning intended by them, because they may have multiple meanings and different connotations. His Excellency spoke about the tasks of investment purposes from the Islamic perspective and the means of achieving them. His Excellency explained that “the tasks of the purposes of investment from the Islamic perspective are centered around three main purposes, namely: Maintaining the sustainability of the development and increase of wealth, then maintaining the permanence of the circulation of wealth, and finally: Achieving the overall well-being of the individual and society. These main objectives depend on their realization

to enable individuals and groups to fulfill the great divine mission for which they were created, which is the task of succession to God on earth by managing its affairs in the present and future.” His Excellency added: “Through these objectives and their connection to the topic of investment, I believe that the sustainability of the promotion of wealth is a religious and realistic necessity, as humanity’s need for it increases daily due to the rapid developments in daily life. This statement is confirmed by the Qur’anic and hadithic texts urging earning and striving on the earth, prohibiting hoarding wealth, obligating zakat, prohibiting usury, and others, all of which establish and maintain this purpose. The monopolization and control of wealth by a few to control the destinies of the majority is forbidden through the realization of the second purpose, namely, the realization of the comprehensive well-being of the members of the Islamic society through economic prosperity, social stability, and security, thereby eliminating all manifestations of envy, hatred and heart disease among all its members.” At the end of his speech, His Excellency pointed out that Sharia, through its noble objectives and meanings, aims to achieve the three purposes of financial investment methods and tools, stressing the importance of the purposes of the Sharia in investment in order to achieve the demands of humans and societies for comprehensive well-being. His Excellency expressed his hope that this forum will issue comprehensive recommendations that include clear guidelines and solid foundations that will help to activate contemporary economic life and the role of Maqasid Al-Shari’ah in it in accordance with Sharia teachings, reach humanitarian and developmental goals, achieve vicegerency on earth, and serve mankind’s utmost benefits.



## Secretary General takes part in International Conference on AI, Health & Maqasid



H.E. Prof. Koutoub Moustapha Sano, Secretary General of the Academy, delivered a keynote speech at the opening online session of the International Conference on Artificial Intelligence Promoting Health Promotion and the Realization of Maqasid Sharia, organized by the Islamic Organization for Medical Sciences at its headquarters in Kuwait, on Tuesday 18 Rajab 1445, corresponding to 30 January 2024. His Excellency began his speech by extending thanks and praise to the government and people of Kuwait for their permanent and tireless sponsorship of the Islamic Organization for Medical Sciences, of which IIFA is proud of its tremendous and influential role in the medical fields. His Excellency praised the accurate and appropriate subject of the conference as it revolves around a topic that aims to enable the Ummah and all human societies to know Sharia's position on this novelty that has become part of our lives today, which

is termed as artificial intelligence and is, in fact, part of human intelligence, as it is an intelligence produced by human intelligence, and surpassed the human intelligence that created it. His Excellency spoke about the importance of establishing Sharia norms and principles for this intelligence for it to become a tool of development, saying: "I record my thanks and appreciation to the Islamic Organization for Medical Sciences for its initiative to remind of the importance of establishing Shariah guidelines so that this intelligence becomes a tool of development, a tool of progress and development for societies, and does not turn into a tool of destruction. I am very happy that Maqasid were chosen as a framework to protect this intelligence and use it to serve man in the same way his natural and real intelligence can serve him." His Excellency seized the occasion to call jurists, doctors, and experts on AI for more cooperation within the framework of the collective ijthad institutions, "It is possible to use AI in a targeted manner to preserve the five purposes of Sharia in general and the preserving the soul, the mind and wealth in particular, and to make it a tool and a means that benefits us and removes harm, difficulty, and hardship, shortens distances and solves issues for us." Accordingly, looking at this

type of intelligence through its role in preserving Maqasid will ensure that controls are put in place to prevent it from becoming a tool of destruction, but rather making it a tool that we deal with to enhance awareness of the rules of religion, preserve souls, safeguard symptoms, and preserve property and minds. His Excellency emphasized that the general ruling on these means is permissibility, and it is possible that its ruling may become obligation at times, as in the case of the need to use it in the field of medicine instead of traditional methods, in many complex surgeries to mitigate the possible risks. At the end of his speech, His Excellency called on jurists and medical doctors to have patience before issuing rulings on such issues and developments in general and on this multi-purpose issue in particular. His Excellency hoped that this intelligence would become a means to serve mankind, helping to preserve our religion, safeguard our honor, and preserve our properties and our intellect.



## Delegation from US State Department visits the Academy

A delegation from the United States of America visited the International Islamic Fiqh Academy on Monday 16 Shaaban 1445, corresponding to 26 February 2024. The delegation from the Global Women's Issues was composed of Ms. Zennia Paganini, Regional Policy Advisor and Ms. Rachel Wein, Policy Advisor. The delegation was accompanied by Mr. Tanner G. Sullivan Political/Economic officer at the US Consulate General in Jeddah, the Kingdom of Saudi Arabia. The delegation was hosted by Ms. Sara Amjad Bedwi Director of Family, Women, Children & Elderly and Supervisor of the Office of the Secretary General at the Academy. Ms. Zennia Paganini Regional policy Advisor at the Global Women's Issues expressed their delight and thanks for visiting the Academy and for the hospitality and warm reception. She added: "the Academy and our organization can do a lot to collaborate in areas of shared interest, for example, education of girls,



empowerment of women and combating bad cultural practices around the world that may impeded the development of girls and women". She reiterates that the role of the Academy is central to clarify the position of Islam on those issues and to correct some of the misconceptions about Islam. On her part, Ms. Sara Bedwi welcomed the honourable guests of the Academy for this kind visit extending to them the greetings and best wishes of His Excellency the Secretary General of the Academy Professor Koutoub Moustapha Sano. She then presented an overview of

the Academy, its vision and mission. She particularly pointed out that the Academy is the primary reference for member countries of the Organisation of Islamic Cooperation in Jeddah the Kingdom of Saudi Arabia, entrusted with clarifying jurisprudential views on calamities and new developments from family issues to financial matters. She added: "The Academy takes into consideration the paramount importance of traditional family matters and the protection of the rights of girls and women as partners of men in the development of their nations". Furthermore, both the delegation of the Global women's Issues and the Academy emphasised the need for more cooperation and working relations in a way to promote the development of women, combating violence against women, promotion of peace and security, among others. The meeting was attended by Dr Alhagi Manta Drammeh, Head of International Cooperation and External Relations

## 118th Weekly Meeting of Departments

H.E. Prof. Koutoub Moustapha Sano, Secretary-General of the Academy, chaired the 118th weekly meeting of the directors of IIFA's department on Monday 3 Rajab 1445, corresponding to 15 January 2024. At the beginning of the meeting, His Excellency welcomed everyone, then spoke about the visit of some ministers of religious and Islamic affairs from the OIC's member states to the headquarters of IIFA, during which they discussed ways to strengthen cooperation and coordination. He also spoke about concluding a cooperation agreement with the Ministry of Islamic Affairs of the Republic of Maldives, which aims to enhance cooperation in the



common field between them, especially with regard to spreading Islamic knowledge and culture and preserving Islamic heritage. His Excellency expressed condolences on the death of His Eminence Sheikh Mohammed Haj Yusuf, former representative of the Republic of

Somalia, praising his merit and contributions to IIFA's sessions, which left a positive impact, asking the Lord to grant him in His vast paradise and grant his family patience and solace. The meeting reviewed previous decisions and issued new decisions, notably:

- Start preparations for the next IIFA session to be held in Qatar.
- Communicating with a number of countries to consider hosting future IIFA sessions.
- Submit the annual report on activities to the Secretary-General and prepare the introduction, to be printed in a booklet form.

## 119th Weekly Meeting of Departments

H.E. Prof. Koutoub Moustapha Sano, Secretary General of the Academy, chaired the 119th weekly meeting of the Directors of Departments, on Thursday 13 Rajab 1445 corresponding to 25 January 2024, at the Secretariat General's headquarters in Jeddah. At the outset of the meeting, His Excellency welcomed all attendees and shared details of his recent visit to the State of Qatar. During the visit, he met with H.E. Mr. Ghanim bin Shaheen Al-Ghanim, Minister of Endowments and Islamic Affairs in Qatar. They discussed preparations for the twenty-sixth session of the Assembly Conference, scheduled to take place in Doha in November 2024. His Excellency expressed

his appreciation to Qatar for their warm welcome and hospitality during the visit. His Excellency also highlighted the signing of a cooperation agreement with Tasbil Endowments Development Company, aimed at enhancing cooperation with leading Islamic institutions involved in charitable works and resource development for the Waqf Fund. The meeting reviewed previous decisions and, new decisions were issued, namely:

- Sending a letter of appreciation to the Minister of Awqaf and Islamic Affairs of Qatar and to H.E. Sheikh Dr. Thaqeel bin Zaid Al-Shammari, Qatar's representative to the Academy.
- Corresponding with the Saudi Ministry of



Foreign Affairs and the Saudi Delegation regarding the cultured meat symposium, in cooperation with the Saudi Food and Drug Authority in Saudi Arabia.

- Requesting the Islamic Organization for Medical Sciences in Kuwait to suggest to the Academy important scientific themes related to artificial intelligence, to be discussed during the next session.

## 120th Weekly Meeting of Departments



H.E. Prof. Koutoub Moustapha Sano, Secretary General of IIFA, chaired the 120th weekly meeting of department directors on Monday 17 Rajab 1445, corresponding to 29 January 2024, at the Secretariat General's headquarters in Jeddah. His Excellency extended a warm welcome

to the attendees and expressed gratitude for their participation. During his meeting, he mentioned his upcoming participation in the Fatwa Conference hosted by the Islamic Council of Singapore. He emphasized that this visit would culminate in signing a memorandum of cooperation with the Islamic Council of Singapore, aimed at facilitating the dissemination of the Academy's resolutions within the Singaporean Muslim community, which serves as a model for Muslim communities worldwide. Such cooperation would contribute to the promotion of Islam's tolerant teachings among these communities. His Excellency also encouraged employees

to enroll in training courses to enhance their professional skills and stay updated with modern administrative technologies, especially those related to social media. The meeting then reviewed previous decisions, with new decisions issued, notably:

- Reviewing the translation of resolutions into Turkish and finishing its revision before printing.
- Preparing the list of scientific themes for the topics of the upcoming twenty-sixth session.
- Sending a letter of appreciation to Tasbil's DG for their proposals to IIFA Waqf Fund.



## 121st Weekly Meeting of Departments

H.E. Koutoub Moustapha Sano, Secretary-General of the Academy, chaired the 121st meeting of the IIFA's departments on Monday, 2 Shaban 1445, corresponding to 12 February 2024, at the Secretariat General's headquarters in Jeddah. His Excellency began the meeting by welcoming the attendees, speaking about the organizational and academic preparations of the scientific symposium scheduled to be held at the beginning of this March with the Saudi Food and Drug Authority on "cultured meat and genetically modified foods of animal origin." His Excellency also talked

about the necessity of communicating with several scientific figures inside and outside Saudi Arabia who specialize in veterinary medicine and genetics to participate in this scientific symposium and enrich the scientific debate. The meeting discussed previous decisions and issued new decisions, notably:

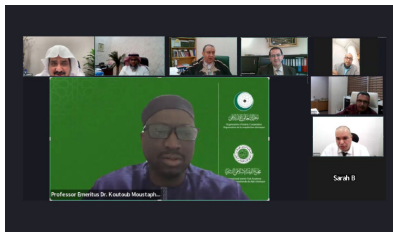
- IIFA's scientific committee shall begin reviewing the meat symposium research and send notes to the printing department for correction and the media department for typesetting.
- Sending the list of participants in the

symposium to the Protocols department to request MOFA to issue visas for participants from outside the country.

- Discussing with electricity companies to verify and improve the electric system in IIFA's building in order to save energy.



## 122nd Weekly Meeting of Departments



H.E. Prof. Koutoub Moustapha Sano, Secretary General of the Academy, chaired the 122nd meeting of departments on Wednesday, 11 Sha'ban 1445, corresponding to 21 February 2024, via videoconference from his residence in Malaysia. His Excellency started the meeting by welcoming and thanking the participants, then spoke about

his participation in the Islamic Economics World Conference, held in Malaysia. He then talked about the coordination meeting between the Academy and the Saudi Food and Drug Authority regarding the final arrangements for holding the symposium on "Cultured Meat and Modified Foods of Animal Origin," which both parties agreed to postpone to a later date. His Excellency also called to communicate with several experts and scholars from inside and outside Saudi Arabia, including those specialized in veterinary medicine and genetics, to participate and contribute to this scientific symposium to enrich the scientific discussion by their competence. The meeting discussed previous

decisions and issued new ones, notably:

- Informing the Saudi Ministry of Foreign Affairs and those invited to the postponed symposium of the new dates at a later period.
- Communicating with the Women's Development Organization to discuss the date for the symposium on "The Role of Religious Leaders in Combating Violence Against Women."
- Typesetting the final version of the research papers for the symposium on "The Role of Religious Leaders in Combating Violence Against Women."

## 123rd Weekly Meeting of Departments

The International Islamic Fiqh Academy held its one 123rd meeting of departments on Tuesday, 24 Sha'ban, 1445, corresponding to 05 March 2024, under the chairmanship of H.E. Prof. Koutoub Sano, Secretary General of the Academy. At the beginning of the meeting, His Excellency welcomed the attendees, then spoke about the Doha Arab Book Award, which he won with a group of experts in the humanities and social sciences from the Muslim world, and about his participation in the opening ceremony entitled "A Life for Knowledge", in which he spoke about his academic journey, starting with school in his country, Guinea, his



studies in Saudi Arabia and Tunisia, and moving as a lecturer in Malaysia, where he authored most his works while working at the International Islamic University in Malaysia. His Excellency reminded everyone of the importance of cooperation between various departments for the successful organization

of the next session of the Academy. The meeting discussed previous decisions and new decisions have been issued, notably:

- Editing the themes of the upcoming IIFA's Academy.
- Preparing an MoU to sign with Qatari Ministry of Islamic Affairs, the General Secretariat of the Council of Senior Scholars in Saudi Arabia, and the Al-Azhar's Islamic Research Academy in Cairo.
- Holding an urgent meeting of IIFA Waqf Fund's Board of Trustees before Ramadan.



## 124th Weekly Meeting of Departments

H.E. Prof. Koutoub Moustapha Sano, Secretary General of the International Islamic Fiqh Academy, chaired the 124th meeting of the departments on Tuesday, 09 Ramadan 1445, corresponding to 19 March 2024, at the headquarters of the Secretariat General in Jeddah. At the beginning of the meeting, His Excellency welcomed the participants, then spoke about the international conference: "Building Bridges Between Islamic Schools of Law" organized by the Muslim World League under the patronage of the Custodian of the Two Holy Mosques, King Salman bin Abdulaziz Al Saud. His Excellency delivered a speech at the closing session in which senior



Islamic figures, including muftis and senior scholars from different Islamic schools of law, participated. His Excellency also spoke about signing a memorandum of cooperation between the Academy and MWL's Islamic Fiqh Council on the sidelines of the conference. The signing ceremony took place in the presence of the Secretary General of the

Muslim World League, H.E. Dr. Mohammed bin Abdul Karim Al-Issa, and His Excellency Mr. Hussein Ibrahim Taha, OIC Secretary General. The meeting discussed previous decisions and issued new decisions, notably:

- Preparing the documentary film on IIFA to display at the next session and prepare an agenda for the next session.
- Start preparations for the symposium on the Role of Religious Leaders in Combating Violence Against Women.
- Confirming the meeting date of the IIFA Waqf Fund's Board of Trustees and prepare the online meeting well before the deadline.

## 125th Weekly Meeting of Departments



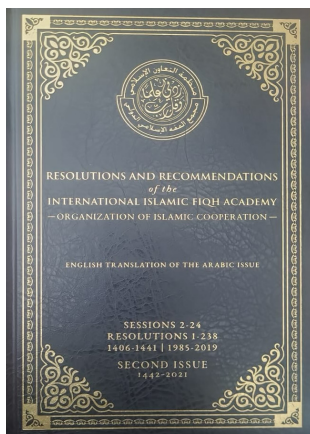
The International Islamic Fiqh Academy held its 125th meeting of the departments on Sunday 14 Ramadan 1445, corresponding to 24 March 2024, at the headquarters of the Secretariat General in Jeddah. The meeting was chaired by H.E. Prof. Koutoub Moustapha Sano, Secretary General of the Academy, who greeted the attendees, then spoke about his upcoming visit to the

Kingdom of Morocco to participate in the Hassania Lectures, which are held annually in the blessed month of Ramadan. He will meet with several officials to discuss having the Academy's future session in Morocco, which was postponed due to the earthquake that hit Morocco last year. He will also meet several Moroccan scholars to consult on some issues, including studying the draft cooperation agreement with Morocco's Supreme Scientific Council. Moreover, His Excellency reminded everyone of the value of time and the importance of preserving it in work. He warned against wasting it in irresponsible actions that were far from the Academy's

objectives and activities. He also warned everyone against not adhering to this value so that time is not wasted in the Academy in futile ways. The meeting reviewed previous decisions and issued new ones, notably:

- Communicating with MWL's Media Department to benefit from their experience producing a documentary film about the Academy.
- Typesetting the upcoming Cultured Meat Symposium research papers.
- Typesetting the research papers for the upcoming symposium on the Role of Religious Leaders in combating Violence against Women.

## A Brief Introduction to the Resolutions of the International Islamic Fiqh Academy



For four decades, the Council of the International Islamic Fiqh Academy has from time to time issued genuine 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, covering intellectual, educational, social, economic, and halal issues. 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 Academy decided to dedicate 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 drafting and issuance in a manner beneficial to humanity that will remain forever on earth.



In the Name of Allāh,  
the Entirely Merciful, the Especially Merciful  
Praise is due to Allāh, Lord of the worlds, may  
the blessings and peace be upon our master  
Muḥammad, the last of prophets, on his family,  
and all his companions.

### Resolution No. 39 (1/5) Birth Control

The Council of the International Islamic Fiqh Academy of the Organization of the Islamic Conference, holding its 5th session in Kuwait City, State of Kuwait, on 1–6 Jumādā al-Ūlā 1409h (10–15 December 1988), Having examined the research papers submitted by the Academy's members and experts concerning Birth Control, Having listened to the in-depth discussions on the subject, Having considered that, according to Shariah, one of the purposes of marriage is procreation and preservation of the human race, and that it is not permissible to ruin this purpose because such a destruction is a violation of the principles and teachings of Shariah urging for birth increase, preservation, and protection of humanity, considering that the preservation of progeny is one of the five Maqāṣid (essential universals) protected by all divine laws, Resolves

First: It is not permissible to issue a general law restricting the freedom of reproduction for married couples. Second: It is prohibited to deprive a man or a woman of his or her physical capacity to procreate, known as sterilization, except in case of necessity based on criteria set by Shariah. Third: It is permissible to control temporarily reproduction in view of spacing the pregnancy periods or to interrupt it for a fixed duration in case of a necessity recognized by Shariah, this should be done at the discretion of the married couple following consultation and consent between them, providing that no prejudice is caused and that the

## Resolutions and Recommendations of the 5th Session of the Council of the International Islamic Fiqh Academy

- Kuwait City State -

1–6 Jumada al-wwal 1409/10–15 December 1988

method to be used is legal according to Shariah, without any harm to an ongoing pregnancy.

Indeed, Allāh is All-Knowing.

### Resolution Nos. 40–41 (2/5 and 3/5) Keeping a Promise and Murābahah to the Purchase Orderer

The Council of the International Islamic Fiqh Academy of the Organization of the Islamic Conference, holding its 5th session in Kuwait City, State of Kuwait, on 1–6 Jumādā al-Ūlā 1409h (10–15 December 1988), Having examined the research papers submitted by the Academy's members and experts concerning Keeping a Promise and Murābahah to the Purchase Orderer, Having listened to the in-depth discussions on the two subjects, Resolves

First: Murābahah to the purchase orderer is permissible on goods that are already in the physical possession of the seller, as required by Shariah, provided the seller carries the risk of loss before delivery or the consequences of returning the purchased goods due to concealed defects or any other reasons justifying the return of the goods after their reception, provided the conditions of the sale are met and with the absence of any impediments. Second: According to Shariah, a promise (made unilaterally by the purchase orderer or the seller), is morally binding on the promisor, unless there is a valid excuse. It is however legally binding if made conditional upon the fulfillment of an obligation, and the promisee has already incurred expenses on the basis of such a promise. The binding nature of the promise means that it should be either fulfilled or a compensation be paid for damages caused due to the unjustifiable non fulfillment of the promise. Third: Mutual promise (involving two parties) is permissible in the case of Murābahah sale

provided that the option is given to one or both parties. Without such an option, it is not permissible, since in Murābahah sale, mutual and binding promise is like an ordinary sale contract, in which the prerequisite is that the seller should be in full possession of the goods to be sold, in order to be in conformity with the ḥadīth of the Prophet SAW forbidding the sale of anything that is not in one's possession. Recommendations

Having noted that most Islamic banks devote most of their business to financing through Murābahah to the purchase orderer, the Academy recommends: First: Activities of Islamic Banks shall be expanded to cover all the development mechanisms of economy particularly by sponsoring industrial and commercial projects, through individual initiatives or Muḍārabah or Murābahah, with other partners. Second: Practical aspects of Murābahah to the purchase orderer shall be studied by Islamic Banks with the aim of working out the basis for safeguarding against any pitfall in the application process and to help upholding general or private Shariah rulings governing transactions of Murābahah to the purchase orderer.

Indeed, Allāh is All-Knowing.

### Resolution No. 42 (4/5) The Changing Value of Currency

The Council of the International Islamic Fiqh Academy of the Organization of the Islamic Conference, holding its 5th session in Kuwait City, State of Kuwait, on 1–6 Jumādā al-Ūlā 1409h (10–15 December 1988), Having examined the research papers of the Academy's members and experts concerning The Changing Value of Currency (Rates Fluctuation), Having listened to the discussions on the subject, Having recalled the Academy resolution no. 21 (9/3) which agreed that banknotes, such as legal currencies, possess all characteristics of valuables, and are therefore subject to the rulings of Shariah relating to gold and silver, with regard

to Ribā, Zakāh, Salam, and all their transactions, Resolves

The norm in the settlement of debt incurred in a specific currency is that it should be settled in the same (currency), rather than in value terms, for debts must be settled in an identical resource, and fixed debts, whatever their origin, are not permissible to be tied to the level of prices.

Indeed, Allāh is All-Knowing.

### Resolution No. 43 (5/5) Moral Rights

The Council of the International Islamic Fiqh Academy of the Organization of the Islamic Conference, holding its 5th session in Kuwait City, State of Kuwait, on 1–6 Jumādā al-Ūlā 1409h (10–15 December 1988), Having examined the research papers of the Academy's members and experts concerning Moral Rights, Having listened to the discussions on the subject, Resolves

First: Business name, corporate name, trade mark, literary production, invention or discovery, are rights belonging to their holders and have, in contemporary times, financial value which can be traded. These rights are recognized by Shariah; therefore, not permissible to violate. Second: It is permissible to use and transfer a business name, corporate name, trademark for a price in the absence of any fraud, swindling or forgery, considering that it has become a financial right. Third: Copyrights and patent rights are Shariah protected rights. Their holders are entitled to freely exploit them. It is not permissible to violate such rights.

Indeed, Allāh is All-Knowing

### Resolution No. 44 (6/5) Rent-to-Own Contracts

The Council of the International Islamic Fiqh Academy of the Organization of the Islamic Conference, holding its 5th session in Kuwait City, State of Kuwait, on 1–6 Jumādā al-Ūlā 1409h (10–15 December 1988), Having examined the research papers of the Academy's members and experts concerning Rent-to-own Contracts,

Having listened to the discussions on this subject, Having recalled resolution of the Academy no. 13 (1/3), in response to the questions submitted by the Islamic Development Bank (IDB) (Par. B) concerning renting transactions, Resolves

First: It is a priority to refrain from rent-to-own modes and adopt other alternatives, two of which are as follows:

1. Installment sale after receiving adequate
2. The rental contract, by which the lesser gives to the lessee the choice, after completing all due installments, between the following options:

- Extension of the rental period,
- Termination of the rental contract and return of the property to its owner,
- Purchase of the rented item at market value at the end of the rental

Second: There are many other forms of rent-to-own contracts, on which the debate has been postponed to the next session, pending the receipt of their sample contracts, with explanations on the realities and conditions governing such contracts. This task will be conducted in collaboration with Islamic Banks, pending further studies and to issue an appropriate resolution in this regard.

Indeed, Allāh is All-Knowing.

### Resolution No. 45 (7/5) Real Estate Financing for Housing Construction and Purchase

The Council of the International Islamic Fiqh Academy of the Organization of the Islamic Conference, holding its 5th session in Kuwait City, State of Kuwait, on 1–6 Jumādā al-Ūlā 1409h (10–15 December 1988), Having presented the subject of Real Estate Financing for Housing Construction and Purchase, Resolves

To postpone discussion on the subject to the 6th session of the Academy, pending further studies and research in order to issue an appropriate resolution in this regard.

Indeed, Allāh is the Giver of success.

### Resolution No. 46 (8/5) Limitation of Traders' Profits

The Council of the International Islamic Fiqh Academy of the Organization of the Islamic Conference, holding its 5th session in Kuwait City, State of Kuwait, on 1–6 Jumādā al-Ūlā 1409h (10–15 December 1988), Having examined the research papers of the Academy's members and experts concerning the Limitation of Traders' Profits, Having listened to the discussions on the subject, Resolves

First: The fundamental principle established by Shariah sources and maxims is that people should be free to buy and sell and dispose of their possessions and money, within the framework of the Shariah rulings, in accordance with the divine command: «O you who have believed, do not consume one another's wealth unjustly but only [in lawful] business by mutual consent...» (al-Nisā', 29) Second: There is no restriction to the profit percentage which trader can make in his transactions. It is generally left to the business environment, to the circumstances of the trader, and to the nature of the goods. However, the ethics recommended by Shariah, such as leniency, contention, empathy and indulgence, should be taken into account. Third: Shariah texts have spelt out the obligation to keep the transactions away from illicit acts like fraud, cheating, deceit, forgery, concealment of actual benefits, monopoly, which are detrimental to humans and society. Fourth: Governments should not be involved in price fixing except when there are obvious market and price pitfalls due to artificial excuses. In this case, the government should intervene by applying adequate means to eliminate these factors, causes of defects, excessive price increases and frauds.

Indeed, Allāh is All-Knowing.

## Resolution No. 47 (9/5) ‘Urf (Custom)

The Council of the International Islamic Fiqh Academy of the Organization of the Islamic Conference, holding its 5th session in Kuwait City, State of Kuwait, on 1–6 Jumādā al-Ūlā 1409h (10–15 December 1988), Having examined the research papers of the Academy’s members and experts concerning ‘Urf (Custom), Having listened to the discussions on the subject, Resolves

First: The term ‘Urf refers to any saying, habit, or a disregard people do and are used to it, which may or may not be recognized by Shariah. Second: If ‘Urf is a specific custom, it is recognized by those who subscribe to it. On the other hand, if it is a general custom, it is recognized by all. Third: To be recognized by Shariah, an ‘Urf should meet the following conditions:

1. It should be in conformity with Shariah. If it contradicts a text or a rule of Shariah, then it is corrupt custom.
  2. It should be permanent or
  3. It should already exist at the time of the issue
  4. The contracting parties should not pronounce against it, in which case it is not enforceable.
- Fourth: A Faqih – whether a mufti or a judge – should not confine himself to the dictums contained in Fiqh books without giving due regard to the changing customs.

Indeed, Allāh is All-Knowing.

## Resolution No. 48 (10/5) Enforcement of Shariah Rules

The Council of the International Islamic Fiqh Academy of the Organization of the Islamic Conference, holding its 5th session in Kuwait City, State of Kuwait, on 1–6 Jumādā al-Ūlā 1409h (10–15 December 1988), Having examined the research papers of the Academy’s members and experts concerning the Enforcement of Shariah Rules, Having listened to the discussions on the subject, Having recalled that the International Islamic Fiqh Academy was established as a result of the benevolent will of the 3rd Islamic Summit Conference held in Makkah al-Mukarramah, to find Shariah-based solutions to the problems of the Ummah, to comply Muslim life with Shariah principles and values, to remove the obstacles hindering the enforcement of the divine law, and ensure the necessary conditions for its application in order to sanctify hakimiyyah (supreme authority of Allāh), and translate into reality the primacy of Shariah, to put an end to the hostilities existing between some Muslim leaders and their people, to eliminate sources of tension, contradictions and conflict within their countries and bring about peace and security in Muslim countries, Resolves

First: The primary duty of the person in charge of Muslims affairs is to enforce Shariah. Second: Urging the governments of all Muslim countries to implement Shariah and comply fully, entirely, and lastly to it in all fields of life. Third: Calling upon all Muslim as individuals, communities, peoples, or states to abide by teachings of Islam and apply divine laws, considering that this religion is all in one, a belief system, a legal system, a code of conduct, and way of life. Recommendations

1. The Academy should continue research and comprehensive studies on various aspects of the implementation of Shariah and ensure following-up the existing efforts in this regard in Muslim countries.

1. To ensure the coordination between the Academy and other scientific institutions entrusted with the implementation of Shariah and involved in developing plans, ways and means of removing the obstacles hindering the application of Shariah in Muslim countries.

2. To compile Islamic model laws elaborated in different Muslim countries in order to analyze them and benefit from them.

3. To urge for the reform of education programs and various communication means in order to mobilize them to contribute towards the enforcement of Shariah and the training of a new Muslim generation devoted to divine laws.

4. To expand the scope of training students and graduates such as judges, prosecutors, and lawyers, in order to prepare adequate human resources for the application of Shariah.

Indeed, Allāh is the Giver of success

## Resolution No. 49 (11/5) Islamic International Law Commission

The Council of the International Islamic Fiqh Academy of the Organization of the Islamic Conference, holding its 5th session in Kuwait City, State of Kuwait, on 1–6 Jumādā al-Ūlā 1409h (10–15 December 1988), Having reviewed the memorandum on the draft statute of the Islamic International Law Commission submitted to the Academy by the 17th Islamic Conference of Foreign Ministers held in Amman, Hashemite Kingdom of Jordan, pursuant to resolution no. 45/17-S, Resolves

Approval to study the draft statute of the Islamic International Law Commission and the designated tasks shall be submitted to the above-mentioned Commission to become part of the tasks of the Academy.

Indeed, Allāh is the Giver of success.

General Supervisor  
PROF. DR. KOUTOUB MOUSTAPHA SANO

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## **ISSUE No. 42**



## Secretary General of Academy Among Winners of 2024 Doha Arabic Book Award



H.E. Prof. Koutoub Moustapha Sano, Secretary General of the International Islamic Fiqh Academy, along with a distinguished group of scholars in the humanities and social sciences from the Muslim world, has been awarded the Doha Arabic Book Award in its inaugural session. The ceremony took place on Sunday evening, 22 Sha'ban 1445, corresponding to 3 March 2024, at the Ritz-Carlton Hotel in Doha, Qatar. Dr. Abdul Wahed Alami, Executive Director of the Doha Arabic Book Award, opened the ceremony with a speech, stating: "The Award aims to recognize researchers' efforts and acknowledge their scientific and intellectual achievements. Its mission is to enrich the Arab library by encouraging individuals and institutions to present



their best work in the social sciences and humanities, honouring genuine studies, disseminating them, and recognizing the efforts of their authors. The Award also supports leading publishing houses to

improve the quality of Arabic books in both form and content." Dr. Al-Alami emphasized that "the Award is rooted in the wise policy of the State of Qatar, which acknowledges the importance of knowledge, culture, and the honouring



of science and scientists." He further explained that, in its inaugural session in 2024, the Award honoured ten winners, including experts in the humanities and religious sciences who have significantly contributed to Arab literature with their works and studies. Dr. Hassan Al-Nama, Chairman of the Board of Trustees of the Hamad Award for Translation and International Understanding, spoke on behalf of the Award's patron, HH Prince Sheikh Hamad bin Khalifa Al Thani. He expressed his hope that the Award would provide book lovers with access to creative spaces, rejuvenate readership, and help the Arab world progress in civilization.

He added: "Let's help this new award promote intellectual values and culture. Qatar created this award to contribute to humanity and promote noble values." Dr. Al-Nama also expressed his hope that the Award would offer book lovers spaces for creativity and reading, aiding the Arab world in catching up with other nations. Prof. Faihaa Abdulhadi, Director of Al-Rawa Studies and Research Centre, spoke on behalf of the honorees, expressing their honour in receiving the Award in its inaugural session. She highlighted that this recognition represents a cultural and intellectual achievement, emphasizing the importance of maintaining cultural identity to resist cultural appropriation. The ceremony concluded with Dr. Hassan Al-Naima presenting the award shields to the winners individually. The winners of this inaugural session are ten authors recognized for their ingenuity, innovation, and creativity in their respective fields. They are Prof. Mustafa Aqil Al-Khatib (Qatar), Prof. Koutoub Moustapha Sano (Guinea), Prof. Nacer Eddin Saidouni (Algeria), Prof. Ayman Fouad Sayed (Egypt), Prof. Gerard Gehami (Lebanon), Prof. Saad Al-Bazai (Saudi Arabia), Prof. Taha Abdel Rahman (Morocco), Prof. Ghanem Kaddouri Al-Hamad (Iraq), Prof. Faiha Abdel Hadi (Palestine) and Prof. Mohamed Abu Musa (Egypt).



## IIFA Signs MoC with MWL's Islamic Fiqh Council



In line with the International Islamic Fiqh Academy's (IIFA) goal to enhance cooperation and communication with ifta authorities and collective ijthad institutions within the OIC Member States, and acknowledging the scientific prominence of the Islamic Fiqh Council of the Muslim World League (MWL), H.E. Prof. Koutoub Sano, Secretary General of the Academy, and H.E. Dr. Abdulrahman bin Abdullah Al

Zaid, Secretary of the Islamic Fiqh Council, signed a Memorandum of Cooperation (MoC) on Monday, 08 Ramadan 1445, corresponding to 18 March 2023, in Makkah. The signing occurred on the sidelines of the "Building Bridges between Islamic Schools" conference organized by the MWL's Islamic Fiqh Council. The MoC aims to strengthen Islamic unity, promote a culture of tolerance and moderation, and foster constructive dialogue among religious scholars from various schools of law. It also seeks to enhance cooperation between the two entities in scientific research, encouraging studies that support Islamic brotherhood, tolerance, and moderation, and disseminate these widely. Additionally, the MoC focuses on improving collaboration and communication between the institutions in organizing conferences, seminars, workshops, and training sessions,

as well as exchanging publications and resources and representing each other at conferences and seminars of mutual interest. To implement this MoC, both parties agreed to form a specialized committee responsible for identifying areas of cooperation and determining the methods and mechanisms for implementation in line with the MoC's vision. This committee has the authority to seek assistance from relevant experts to facilitate the execution of the MoC's terms.



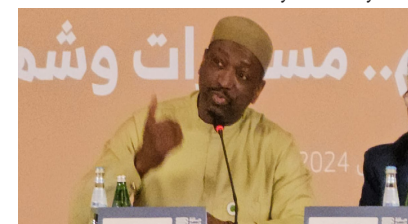
## Doha Arabic Book Award Welcomes Winners at Its Inaugural Conference



The Doha Arabic Book Award hosted a scientific seminar titled "A Life for Knowledge: Journeys and Testimonies" on Sunday, 22 Sha'ban 1445, corresponding to 3 March 2024. During this event, winners of the inaugural Doha Arabic Book Award discussed their scientific careers, their relationship with writing, and the key topics they have covered over the past decades. The ceremony was opened by Mr. Abdulrahman Al-Marri, Media Advisor of the Doha Book Award, who emphasized that the Award aims to enhance appreciation of Arab culture and its value, thereby fostering a sense of sincerity, loyalty, and responsibility towards the Arabic language. He highlighted that the award emerges amid global challenges, where languages serve as cultural vessels competing to generate original ideas and excel in various

knowledge fields. Dr. Abdulwahid Allami, Executive Director of the Award, also spoke about the Award's goals, which include recognizing researchers' efforts, appreciating their scientific, intellectual, and cognitive achievements, encouraging individuals and institutions to produce high-quality knowledge in the social and human sciences, honoring genuine studies, disseminating them, and supporting leading publishing houses to improve the quality of Arabic books in both form and content. Dr. Sedina Sadati moderated the first session, featuring Egyptian Azharite linguist Prof. Muhammad Abu Musa, who discussed his journey with the eloquence of the Arabic language. Moroccan philosopher Taha Abdel Rahman shared his motivations for writing on philosophy and ethics, Algerian historian Prof. Nasser Eddine Saidouni recounted his scientific journey in historical studies, and Lebanese researcher Gerard Gehami spoke about his career centred on philosophy. Following a short break, Prof. Al-Siddiq Al-Siddiq moderated the second session. Qatari historian Prof. Dr. Mustafa Al-Khatib discussed his evolving interests in the history of the Arabian Gulf and

Egyptian historian Prof. Ayman Fouad Sayed spoke about his focus on historical studies and manuscripts. Palestinian historian and researcher Prof. Fihaa Abdul Hadi highlighted the crucial role of Palestinian women in the liberation struggle since the occupation. Saudi academic Prof. Saad Al-Bazai reflected on his early reading experiences, especially after returning from the US, where he encountered diverse schools of criticism and developed a critical perspective towards non-Arab cultural trends. H.E. Prof. Koutoub Moustapha Sano concluded the second session with a keynote summarizing his journey in acquiring linguistic and religious sciences. He recounted his early education in Guinea, studies in Saudi Arabia and Tunisia, and his tenure as a lecturer in Malaysia, where he produced most of his works while serving as a professor at the International Islamic University in Malaysia.





## Secretary General Participates in MWL's Building Bridges Conference



H.E. Prof. Koutoub Moustapha Sano, Secretary General of the Academy, participated in the International Conference: “Building Bridges between Madhāhib (Islamic Schools of Law)” organized by the Muslim World League under the patronage of the Custodian of the Two Holy Mosques. Prof. Sano delivered a speech during the conference’s closing session on Monday, 08 Ramadan 1445, corresponding to 18 March



2024, in Makkah. The Secretary General expressed his profound gratitude to the Kingdom of Saudi Arabia, its King, Crown Prince, government, and people for their esteemed invitation at a crucial time for the Ummah. He also extended his appreciation to the Secretary General of the Muslim World League, Sheikh Dr. Mohammed Abdul Karim Alissa, for initiating an event that addresses many challenges faced by the Ummah. Prof. Sano highlighted the necessity for unity in sentiments, feelings, and rituals in facing intellectual and political challenges confronting the Ummah. He emphasized the importance of adhering to the teachings of the Almighty, citing the Quran and Hadith to underscore the unity of the Ummah: “This Nation of yours is one Nation” and “Believers in their solidarity, compassion, and sympathy are like a single body; if one member complains, the rest will help.” Prof. Sano elaborated on the significance of Islamic schools of law, which are based on foundational Islamic principles derived from the Quran and Sunnah, illustrated by the hadith narrated by Umar RA about the teachings

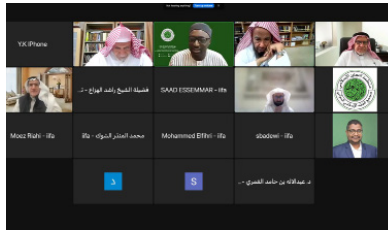
of Islam, faith, and excellence (ihsan). These principles form the basis of madhāhib, which arose through the examination of religious texts. Prof. Sano also discussed the objectives (maqasid) that prompted scholars to create this heritage, highlighting three main purposes: serving religion, teaching it, and seeking accurate opinions. These purposes, he noted, enhance the unity of the Ummah and should be cherished and preserved. Regarding building bridges, Prof. Sano emphasized the need to highlight and promote existing bridges through several recommendations:

1. Reinforcing the belief in the sanctity of blood, dignity, and property of the followers of different schools, in line with the hadith, “Everything belonging to a Muslim is inviolable for a Muslim; his honor, his blood, and property.”
  2. Prohibiting the excommunication of imams and followers of mainstream Islamic schools, as stated in the hadith, “If anyone observes our form of prayer, faces our qibla, and eats what we eat, he or she is a Muslim who has the protection of Allah and His messenger.”
  3. Forbidding the challenge and questioning of the doctrines of well-known imams and their followers, emphasizing respect for their intellectual, theological, jurisprudential, and educational heritage.
  4. Encouraging mutual respect among scholars to mitigate disagreements, recognizing that such differences are natural and reflect diversity rather than contradiction or antagonism.
- Prof. Sano expressed hope that the conference would achieve its objectives by strengthening these bridges through a charter to be issued at the conference’s conclusion, thereby moving from theoretical discussions to practical implementation based on the



## Chairman of IIFA Waqf Fund Chairs 6th Board of Trustees Meeting

The Board of Trustees of the IIFA Waqf Fund convened its sixth meeting on Thursday morning, 11 Ramadan 1445, corresponding to 21 March 2024. The meeting was chaired by H.E. Dr. Saleh bin Abdullah bin Humaid, Chairman of the Board and President of the Academy, with the participation of H.E. Prof. Koutoub Moustapha Sano, Secretary of the Board and Secretary General of the Academy, H.E. Sheikh Dr. Abdullah Al-Mutlaq, Advisor at the Saudi Royal Court and Board Member, H.E. Sheikh Dr. Saad bin Nasser Al-Shathri, Advisor at the Saudi Royal Court and Board Member, H.E. Dr. Omar Zuhair Hafez,



Advisor to the Secretary of the Academy, and H.E. Dr. Sami Al-Suwailem, Board Member from the IDB. Additionally, delegates from Tasbil Company, Dr. Rashid bin Mohammed Al-Hazzaa and Sheikh Fahad Al-Hazza, attended the meeting. The Chairman opened

the session by welcoming the attendees and expressing gratitude for their participation and support for the Academy. Following extensive discussions regarding the contract with Tasbil Company for waqf management, the meeting called on the Secretariat General of the Academy and Tasbil Company to continue their collaboration to finalize the necessary procedures to activate the Fund, including the redrafting of certain contract clauses. The Waqf Board welcomed the proposals submitted by its members and committed to implementing their opinions and recommendations.

## Turkey's New Permanent Representative to OIC Visits IIFA

On Wednesday, 10 Ramadan 1445 H, corresponding to 20 March 2024, the Turkish Permanent Representative to the OIC, Ambassador Cenk Uraz, visited the Secretary General of the Academy, H.E. Professor Koutoub Moustapha Sano, at the Academy's headquarters in Jeddah, Kingdom of Saudi Arabia. Ambassador Uraz was accompanied by Counsellor H.E. Mr. Mustafa Baris Elmener, and they were warmly received by Professor Sano. Ambassador Uraz expressed his delight at visiting the Academy and thanked Professor Sano for the hospitality and warm reception. He commended Professor Sano's visionary leadership and the positive transformation at the Academy since his appointment. He emphasized the central role of the Academy in clarifying Islamic positions on various juristic issues and correcting misconceptions about Islam. Ambassador Uraz also expressed



eagerness for more collaborative activities between the Academy and educational institutions in Turkey. In response, Professor Sano welcomed the guests and presented an overview of the Academy, highlighting its vision and mission. He emphasized that the Academy serves as the primary reference for OIC member countries in Jeddah, tasked with clarifying jurisprudential views on issues ranging from family matters to financial affairs. Both the Turkish delegation and the Academy

underscored the importance of increased cooperation and the implementation of the MOUs between the Academy and educational and religious institutions in Turkey. Professor Sano conveyed the Academy's enthusiasm for Turkey to host one of its sessions in the near future. The meeting was also attended by Mr. Mohamed Mondher Redha Chouk, Director of Cabinet, Protocols, and Legal Affairs, Dr. Ismail Cebeci, Head of Research and Encyclopaedia Division, and Dr. Alhagi Manta Drammeh, Head of International Cooperation and External Relations.



## Sri Lankan Consul General Visits the Academy



On Thursday, 11 Ramadan 1445, corresponding to 21 March 2024, the Consul General of Sri Lanka, Ambassador Falah Mawlana Seyed Muhammad, visited H.E. Koutoub Moustapha Sano, Secretary General of the Academy, at the Academy's headquarters in Jeddah. Ambassador Muhammad was accompanied by Mr. Fazil Farook, Head of Chancery, and Dr.

Ashraff Nuhman, Officer at the Consulate General. Ambassador Muhammad expressed his pleasure at visiting the Academy and thanked the Academy for the opportunity and warm reception. He noted that Sri Lankan Muslims are well assimilated in Sri Lankan society, enjoying the same privileges as other citizens. He added, "We would like the Academy to establish collaborative relations with our educational and religious institutions so they can benefit from the Academy's scholars and programs, and we look forward to more collaborative activities." H.E. Prof. Sano welcomed the esteemed guests and provided an overview of the Academy, highlighting its vision and mission. He emphasized that the Academy serves as

the primary reference for OIC members, tasked with clarifying jurisprudential views on various issues ranging from family matters to financial concerns. Prof. Sano stated, "We are truly happy with your visit and look forward to working closely with educational institutions in Sri Lanka to promote peaceful coexistence and social cohesion."





## President of Iraqi Sunni Waqf Office Visits the Academy



Dr. Meshaan Alwan Al-Khazraji, President of the Sunni Waqf Office in the Republic of Iraq, led an Iraqi delegation visiting the Academy in Jeddah on Thursday, 11 Ramadan 1445, corresponding to 21 March 2024. H.E. Prof. Koutoub Moustapha Sano,

Secretary General of the Academy, warmly received the delegation. Prof. Sano expressed his gratitude for the visit and extended his thanks to Dr. Al-Khazraji and his team for their hospitality during Prof. Sano's previous visit to Iraq. He reiterated the Academy's appreciation for Iraq's support and wished the country continued safety, stability, and prosperity. In response, Dr. Al-Khazraji thanked the Academy for the warm welcome and recalled the fruitful discussions during Prof. Sano's visit to Iraq. He expressed his eagerness to strengthen cooperation and solidarity between the Ummah. The meeting was attended by Mr. Nouredine

Mohammed Hamid, Director General of National Celebrations, Dr. Abdul Abbas, Advisor to the President of Religious Affairs at the Sunni Waqf, Sheikh Hamid Al-Sheikh Hamad, President of Iraq's Religious Scholars Society, Mr. Mohammed Al-Fihri, Director of Administrative and Financial Affairs, and Mr. Amjad Mansi, Head of Protocols at IIFA.



## President of Iraqi Fiqh Council Visits the Academy



H.E. Sheikh Dr. Ahmad Hassan Al-Taha, President and Senior Scholar of the Iraqi Fiqh Council, along with his accompanying delegation, visited the Academy's headquarters in Jeddah on Wednesday, 10 Ramadan 1445, corresponding to 20 March 2024. They were warmly received by H.E. Prof. Koutoub Moustapha Sano, Secretary General of the Academy.

Prof. Sano expressed gratitude to his guests for their visit and provided a brief overview of the Academy's vision and mission. He emphasized the Academy's readiness for increased cooperation with the Iraqi Fiqh Council on matters concerning the Ummah, including the implementation of previously signed agreements. Prof. Sano also requested suggestions for scholars and researchers to participate in the Academy's upcoming session. He further expressed appreciation for Iraq's continuous support to the Academy, particularly the contributions of Iraqi scholars. In response, H.E. Sheikh Al Taha thanked the Academy for the warm welcome. He stated, "Thanks to Almighty Allah, we had the opportunity to visit the Academy

and meet those in charge, especially Prof. Sano. We were briefed about the upcoming session topics. We pray for the success of this institution in fulfilling its mission." The Iraqi delegation included Sheikh Dr. Abdulwahab Al-Samarrai, a member of the Iraqi Fiqh Council, while from the IIFA side, Dr. Abdulfattah Abnauf, Dr. Mohammed Shuaib, and Mr. Amjad Mansi were present.



## Mufti of Chechnya Visits the Academy



H.E. Prof. Koutoub Moustapha Sano, Secretary General of IIFA, welcomed H.E. Sheikh Salah Mezhev, Mufti of Chechnya and Advisor to the President of Chechnya, along with a distinguished delegation from Chechnya, on the 10th of Ramadan 1445, corresponding to 20 March 2024, at his office in Jeddah. The delegation included

H.E. Ambassador Torko Daudov, Russia's Envoy to the OIC, and Mr. Artyom Hanani, Attaché at the Russian Permanent Mission. Prof. Sano expressed gratitude to the Mufti of Chechnya and the delegation for their visit and provided a brief overview of IIFA, affirming its readiness to collaborate with Russian institutions, especially Ifta Councils. He proposed the establishment of a national fatwa council representing all republics of Russia to coordinate and unify fatwas on contemporary issues. The Mufti expressed his appreciation for the honor of visiting IIFA, renowned as the leading fiqh reference for the Ummah, and highlighted its esteemed services to the Muslim world. He emphasized the visit's aim to enhance cooperation in ifta

matters through conferences and seminars on shared interests. Finally, the Mufti extended an invitation to the Secretary General to visit Russia and the Republic of Chechnya. The meeting was attended by Mr. Mohammed Chouk, Director of Cabinet, Dr. Mohammed Shoaib, Supervisor of Fatwa and Reviews, and Dr. Alhagi Drammeh, Head of International Cooperation and External Relations.



### 39th Monthly Meeting of the Academy's Personnel

H.E. Prof. Koutoub Moustapha Sano, Secretary General of the International Islamic Fiqh Academy, chaired the 39th monthly meeting of the Academy's personnel on Sunday, 29 Shaaban 1445, corresponding to 10 March 2024, at the Academy's headquarters in Jeddah. His Excellency opened the meeting by welcoming employees and congratulating them on the advent of the blessed month of Ramadan, praying to fast and perform it with success. His Excellency called on everyone to seize the opportunity of this holy month by drawing closer to Allah, holding oneself accountable, purifying hearts, and benefiting from other types of obedience and worship, and all acts of righteousness,



returning to Allah and repenting to Him, and turning to the Holy Quran for recitation, reflection, and study. As part of the preparations for the next session of the Academy, His Excellency called on everyone to cooperate and exert more effort to prepare well for this session. As is customary in such

meetings, His Excellency paved the floor for the employees to express their opinions and suggestions on the Academy's work. The meeting reviewed the previous decisions, and new decisions were issued, notably:

- Digitalizing all the documents of IIFA's departments.
- Expediting the translation of the Book of Resolutions into Turkish, Spanish, Swahili, Urdu, Malay, and Hausa, to be printed before IIFA's next session.
- Preparing a report on the number of remaining copies of the Book of Resolutions in the three languages.

### 56th Periodic Meeting of Divisions

The Secretary General of the International Islamic Fiqh Academy, H.E. Prof. Koutoub Moustapha Sano, chaired the 56th regular meeting of the heads of divisions on Wednesday, 4 Sha'aban 1445, corresponding to 14 February 2024, at the headquarters of the Academy in Jeddah. His Excellency welcomed the heads of the divisions and recalled them of the importance of completing the preparations for the upcoming symposium on cultured meat, insects, and genetically modified foods of animal origin, which will be held at the end of this month. The meeting then discussed previous

decisions and issued new ones, notably:

- Sending the manuscript of the biographical dictionary of the Academy's members, to the publisher to typeset it and review the final version with the staff of the Academy before print.
- Communicating with MOFA and OIC to organize a symposium on violence against women as soon as possible.
- Stressing on fingerprinting when entering and leaving the Academy under any circumstances, and to turn off ACs before leaving.



### 57th Periodic Meeting of Divisions

H.E. Prof. Koutoub Moustapha Sano, Secretary General of the Academy, chaired the fifty-seventh ordinary meeting of divisions' heads on Thursday, 19 Sha'ban 1445, corresponding to 29 February 2024, at the headquarters of the Secretariat General in Jeddah. His Excellency welcomed the heads of departments and then spoke about his participation in the 44th Al-Baraka Islamic Economic Forum held in Medina, Saudi Arabia. He also spoke about different experts in humanities and social sciences from the Islamic world who will receive the Doha Arab Book Award in its first founding session, to be held in Doha, Qatar, on Sunday, 22 Sha'ban, 1445, corresponding to 03 March



2024. His Excellency reviewed the latest developments of the scientific symposium on "Cultured Meat and Modified Foods of Animal Origin," which was postponed to a later date. The participants then discussed the items on the meeting's agenda, which resulted in several new decisions, notably:

- Addressing MOFA and OIC to schedule the symposium on violence against women after Ramadan.
- Completing the translation of the biographies of IIFA's members.
- Submitting a weekly report on the website to submit to the Secretary General of the Academy on a weekly basis.
- Assigning the editorial board of the Academy's newsletter to work continuously and without interruption on improving the newsletter.
- Updating the biographies of IIFA's members on its website.
- Updating the list of publications and research of the Academy's members.



## 123rd Weekly Meeting of Departments

The International Islamic Fiqh Academy held its one hundred, twenty-third meeting of departments on Tuesday, 24 Sha'ban, 1445, corresponding to 05 March 2024, under the chairmanship of H.E. Prof. Koutoub Sano, Secretary General of the Academy. At the beginning of the meeting, His Excellency welcomed the attendees, then spoke about the Doha Arab Book Award, which he won with a group of experts in the humanities and social sciences from the Muslim world, and about his participation in the opening ceremony entitled "A Life for Knowledge", in which he spoke about his academic journey, starting with



school in his country, Guinea, his studies in Saudi Arabia and Tunisia, and moving as a lecturer in Malaysia, where he authored most his works while working at the International Islamic University in Malaysia. His Excellency reminded everyone of the importance of cooperation and coordination between various departments for the successful

organization of the next session of the Academy.

The meeting discussed previous decisions and new decisions have been issued, notably:

- Editing the themes of the upcoming IIFA's Academy.
- Preparing an MoU to sign with Qatari Ministry of Islamic Affairs, the General Secretariat of the Council of Senior Scholars in Saudi Arabia, and the Al-Azhar's Islamic Research Academy in Cairo.
- Holding an urgent meeting of IIFA Waqf Fund's Board of Trustees before Ramadan.

## 124th Weekly Meeting of Departments

H.E. Prof. Koutoub Moustapha Sano, Secretary General of the International Islamic Fiqh Academy, chaired the 124th meeting of the departments on Tuesday, 09 Ramadan 1445, corresponding to 19 March 2024, at the headquarters of the Secretariat General in Jeddah. At the beginning of the meeting, His Excellency welcomed the participants, then spoke about the international conference: "Building Bridges Between Islamic Schools of Law" organized by the Muslim World League (MWL) under the patronage of the Custodian of the Two Holy Mosques, King Salman bin Abdulaziz Al Saud. His Excellency delivered a speech at the closing session in which senior Islamic figures, including

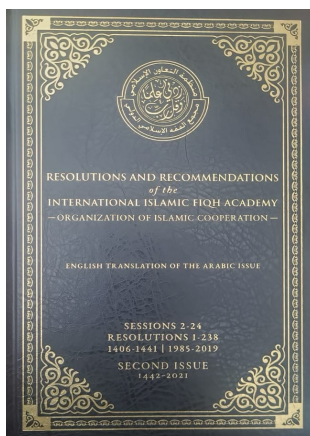
muftis and senior scholars from different Islamic schools of law, participated. His Excellency also spoke about signing a memorandum of cooperation between the Academy and MWL's Islamic Fiqh Council on the sidelines of the conference. The signing ceremony took place in the presence of the Secretary General of the Muslim World League, H.E. Dr. Mohammed bin Abdul Karim Al-Issa, and His Excellency Mr. Hussein Ibrahim Taha, OIC Secretary General. The meeting discussed previous decisions and issued new decisions, notably:

- Preparing the documentary film on IIFA to display at the next session and prepare an agenda for the next session.



- Start preparations for the symposium on the Role of Religious Leaders in Combating Violence Against Women.
- Confirming the date of IIFA Waqf Fund's Board of Trustees and prepare the online meeting well before the deadline.

## A Brief Introduction to the Resolutions and Recommendations of the International Islamic Fiqh 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 humanity that will remain forever on earth.



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. 50 (1/6) Real Estate Financing for Housing Construction and Purchase

The Council of the International Islamic Fiqh Academy of the Organization of the Islamic Conference, holding its 6th session in Jeddah, Kingdom of Saudi Arabia on 17–23 Sha'bān 1410H (14–20 March 1990), HAVING STUDIED the research papers submitted to the Academy concerning Real Estate Financing for Housing Construction and Purchase, HAVING LISTENED to the discussion on the subject,

Resolves

FIRST: Housing is a fundamental human need. This need should be met by legitimate means and by permissible (ḥalāl) money. The method of granting loans on interest adopted by the real estate and housing banks or other financial institutions is prohibited under Shariah, regardless how high or low the interest rates may be, because this method involves Ribā (usury) transactions. SECOND: There are several lawful ways which can substitute the unlawful (haram) ones for providing housing on the basis of ownership (in addition to providing them on rental basis). For example:

- a. The state can offer loans meant especially for the construction or purchase of houses and repayable in suitable installments without charging any interest, neither in express terms nor under the name of service charges. However, if the need arises to meet the expenses incurred in the operations of such loans and in their follow-up, the same can be claimed from the debtors with the condition that the claim must be restricted to the real and actual expenses in the manner specified in paragraph (a) of resolution 13 (1/3) adopted in the third session of the Academy.
- b. Capable states should undertake a

project to build houses for sale to those who wish to own them. This sale can be done on the basis of deferred prices to be paid in installments in accordance with the rulings of Shariah stipulated in resolution no. 51 (2/6) of this session.

c. The investor, whether individuals or companies, can undertake the construction of houses which can be sold on deferred payment basis.

d. The house can also be acquired through the contract of Istisnā' on the basis that it is binding to the parties. In this contract, the purchase of a house can be completed before it is built, provided that the specifications of the house are minutely enumerated in the contract, not leaving any vagueness which can lead to disputes. In this case, payment of price in cash and in full is not necessary, rather, it is permissible to defer the payment of price to such installments as may be agreed upon, keeping in mind all the conditions prescribed for Istisnā' according to the fiqh scholars who distinguished it from the contract of Salam. Recommendation

To conduct further studies to find out other lawful methods that can facilitate the acquisition of housing for those interested.

Indeed, Allāh is All-Knowing.

## Resolution no. 51 (2/6) Installment Sales

The Council of the International Islamic Fiqh Academy of the Organization of the Islamic Conference, holding its 6th session in Jeddah, Kingdom of Saudi Arabia on 17–23 Sha'bān 1410H (14–20 March 1990), HAVING EXAMINED the research papers submitted to the Academy concerning Installment Sales, HAVING LISTENED to the discussion on the subject,

Resolves

FIRST: It is permissible to fix an increased price for a commodity sold on deferred payment, as compared to its cash price. It is also permissible to mention different prices for cash and deferred sales. Even the deferred prices can vary according to the different periods specified for payment, and such variance can be expressly disclosed by the seller to the customer. But the sale cannot take place until

the parties agree to contract a particular mode of payment and specify whether the payment is in cash or deferred. Therefore, if the sale takes place without specifying a single particular mode of payment, leaving it uncertain whether the buyer shall pay in cash or in installments, the sale is not permissible according to Shariah.

SECOND: It is not permissible, in installments sale, to fix the spot price on cash basis, then to charge interest expressly tied with different periods, as separate from the price of the commodity, no matter whether the parties have agreed on a particular rate of interest or have left it to the current market rate.

THIRD: If the buyer/debtor delays the payment of installments after the specified date, it is not permissible to charge any amount in addition to his principal liability, whether it is made a pre-condition in the contract or it is claimed without a previous agreement, because it is Ribā, hence prohibited in Shariah.

FOURTH: It is prohibited for a solvent debtor to delay the payment of the installments from their due dates. However, it is not permissible to impose a compensation in case he delays the payment.

FIFTH: It is permissible for the deferring seller to impose a condition in the sale agreement to pay installments before their deadlines when the debtor/buyer delays the payment of some installments, provided that the buyer had agreed to it when entering into the sale agreement.

SIXTH: The seller has no right to secure the ownership (of the sold commodity) after the sale has taken place. However, it is permissible for him to impose a condition that the buyer shall mortgage the sold commodity with the seller to secure his right of receiving the deferred installments of the price.

Recommendations

To postpone the examination of certain aspects related to installments sale, pending sufficient research and studies, with regard to:

- a. Discounting the bills of exchange through banks.
- b. Payment of the debt before its due date in exchange for a rebate (the issue of pay-early-and-take).
- c. Effect of the death (of either parties) on remaining installments.

Indeed, Allāh is the Giver of success.

## Resolution No. 52 (3/6) Conclusion of Contracts by Modern Means of Communication

The Council of the International Islamic Fiqh Academy of the Organization of the Islamic Conference, holding its 6th session in Jeddah, Kingdom of Saudi Arabia on 17–23 Sha‘bān 1410H (14–20 March 1990), HAVING EXAMINED the research papers submitted to the Academy concerning the Conclusion of Contracts by Modern Means of Communication, HAVING WITNESSED the enormous development in the means of communication and the current practice of using them to conclude contracts in order to ensure swift financial transactions and operations, HAVING RECALLED the different statements of Muslim jurists concerning the conclusion of contracts verbally, in writing or through an intermediary, HAVING CONSIDERED the established principles that a contract between two parties requires majlis al-‘aqd (attendance of the parties) – except in wills, delegated wills, and agency – the compliance of the offer with the acceptance, the absence of any sign indicating the unwillingness of either party, the continuity of the offer and acceptance according to custom, Resolves

FIRST: If the contract is concluded between two parties who are not present in one place, and none of them can see the other physically, can hear his voice, and they are communicating to each other through writing or through an intermediary, which includes telegraph, telex, fax and the computer screen, then, the contract shall be deemed to be completed when the offer is communicated to the offeree and the acceptance is communicated to the offerer. SECOND: If the contract has been concluded between two parties at the same time, and they are in different places, as in the case of telephone and wireless, then this contract shall be deemed as a contract between two present parties. It abides by the original rules established by fiqh scholars which have been pointed out in the preamble of this resolution. THIRD: If a person extending an offer through these instruments subjects his offer to a specified period, he shall be bound to abide by his offer throughout this period and cannot retract from it. FOURTH: The preceding rules shall not cover

the marriage contract because the presence of two witnesses is a necessary condition for its validity, nor shall it extend to the Šarf contract (exchange), because it requires taqābuḍ (receipt of possession) from both sides in their presence, nor to the Salam contract because the immediate payment of the capital price is necessary for the validity of such contracts. FIFTH: In relation to the possibility of forgery, distortion or error, reference shall be made to general rules of legal evidence.

Indeed, Allāh is All-Knowing.

## Resolution No. 53 (4/6) Qabḍ (Taking Possession): Forms (esp. the latest) and their Rulings

The Council of the International Islamic Fiqh Academy of the Organization of the Islamic Conference, holding its 6th session in Jeddah, Kingdom of Saudi Arabia on 17–23 Sha‘bān 1410H (14–20 March 1990), HAVING EXAMINED the research papers submitted to the Academy concerning Qabḍ (taking possession): Forms (esp. the latest) and their Rulings, HAVING LISTENED to the discussions on the subject, Resolves

FIRST: Just as the possession of commodities may be physical, by taking the commodity in one’s hand or measuring or weighing the eatables, or by transferring or delivering the commodity to the premises of the possessor, similarly the possession may also be an implied or constructive possession which takes place by leaving the commodity at one’s disposal and enabling him to deal with it as he wills. This will be deemed a valid possession, even though the physical possession has not taken place. As for the mode of possession, it may vary from commodity to commodity, according to its nature and pursuant to the different customs prevalent in this behalf. SECOND: Some of the forms of Qabḍ Ḥukmī (constructive possession) recognized both in Shari‘ah and ‘Urf, are as follows:

1. Crediting a sum of money in the customer’s bank account, in the following cases:
  - a. Where a sum of money has been credited to the account of the customer, either directly or through a Bank transfer.
  - b. Where a customer contracts a sale of Šarf with the bank in the case of

the purchase of a currency for another currency in favor of the customer’s account.

c. Where the bank, on order of the customer, debits a sum of money from his own account and credits it to another account, in another currency, either in the same bank or in another bank, whether it is credited in favor of the same or a different customer. But it is necessary for the banks to take into consideration Shari‘ah rules governing the Šarf contract.

If such crediting takes some time to enabling the beneficiary to draw the amount so credited, this delay can be allowed, provided it does not exceed usual period normally allowed in such transaction. However, the beneficiary of such crediting cannot deal in the currency during the allowed period until the crediting takes its full effect by enabling the beneficiary to draw the amount.

2. Receipt of a cheque, provided that the issuer’s account has an amount which can be drawn in the currency specified in the cheque, and the bank has closed it (for the payee).

Indeed, Allāh is All-Knowing.

## Resolution No. 54 (5/6) Transplantation of Brain and Nervous System Cells

The Council of the International Islamic Fiqh Academy of the Organization of the Islamic Conference, holding its 6th session in Jeddah, Kingdom of Saudi Arabia on 17–23 Sha‘bān 1410H (14–20 March 1990), HAVING EXAMINED the research papers and recommendations concerning the Transplantation of Brain and Nervous System Cells, one of the topics of the Sixth Medical Fiqh Symposium held in the State of Kuwait on 23–26 Rabi‘ al-Awwal 1410H (23–26 October 1990) held jointly by the Academy and the Islamic Organization for Medical Sciences of Kuwait, IN THE LIGHT OF the conclusions of the aforesaid symposium which concluded that transplantation here is not intended to transfer of a human brain from one person to another, but to treat the failure of certain brain tissues by properly discharging chemical and hormonal substances and to replace these tissues with similar tissues obtained from another source, or to treat a gap of nervous system which has resulted from an injury, Resolves

FIRST: If the source of the tissues is the suprarenal gland of the same patient and are accepted by the patient’s body immunity

as they are from the same body, the transplantation is not objectionable in Shariah.

SECOND: If the source of the tissues to be transplanted is an animal fetus, there is no objection to this method if its success is possible, and there is no contravention of any rule laid down by Shariah. Physicians have mentioned that this method has been successful in different species of animals, and it is hoped that it will prove successful if adopted with necessary medical precautions to avoid the body's rejection of the transplanted organ. THIRD: If the source of the tissues to be transplanted is live tissues from brain of a premature human fetus (in the tenth or eleventh week of pregnancy), the Shariah ruling may differ according to the following methods:

A: First Method  
The removal of brain tissue directly from the human fetus in the mother's uterus, by surgically opening the uterus, will result in the death of the fetus. This practice is therefore prohibited by Shariah, unless it follows a miscarriage or a legal abortion to save the life of the mother, and the death of the fetus becomes obvious. In this case, the conditions for the use of the fetus prescribed in resolution no. 59 (8/6) of this session must be observed.

B: Second Method  
This method may be developed in the near future and consists of cultivating brain tissues in special laboratories in order to make use of it. There is no Shariah objection to this method if the source of the cultured tissues is lawful and if it was obtained by lawful means. FOURTH: Anencephaly (Child born without a Brain). As long as the child is born alive, it is not permissible to remove any part of his body, unless it is proven that he is dead by the death of his brain stem. He is no different from other infants in this respect. If he dies, removing parts of his body must be done in accordance with the terms and conditions applicable to the transplantation of the dead's organs, such as obtaining the required permission, unavailability of a substitute, evident need and such other conditions stipulated in resolution no. 26 (1/4) of the fourth session of this Academy. There is no Shariah objection to keep this brainless child on life support equipment until the death of his brain stem in order to preserve the life of transferable organs and to facilitate their transplantation according to the above-mentioned conditions.

Indeed, Allāh is All-Knowing.

## Resolution No. 55 (6/6) Excess Fertilized Eggs

The Council of the International Islamic Fiqh Academy of the Organization of the Islamic Conference, holding its 6th session in Jeddah, Kingdom of Saudi Arabia on 17–23 Sha'bān 1410H (14–20 March 1990), HAVING EXAMINED the research papers and recommendations concerning Excess Fertilized Eggs, one of the topics of the Sixth Medical Fiqh Symposium held in the State of Kuwait on 23–26 Rabi' al-Awwal 1410H (23–26 October 1990), held jointly by the Academy and the Islamic Organization for Medical Sciences of Kuwait, HAVING REVIEWED the thirteenth and fourteenth recommendations adopted in the third symposium of the Islamic Organization for Medical Sciences held in Kuwait on 20–23 Sha'bān 1417H (18–21 April 1987), on the issue of the disposal of fertilized eggs, and the fifth recommendation of the first symposium of the Islamic Organization for medical Sciences, held in Kuwait on 11–14 Sha'bān 1403H (24–27 May 1982) on the same issue, Resolves

FIRST: In the light of the scientifically established possibility of preserving non-fertilized eggs for future use, only the number of eggs required each time for insemination must be fertilized to avoid the existence of surplus fertilized eggs. SECOND: If a surplus of fertilized eggs exists in any way, it shall be left without medical care until the life of this surplus ends naturally. THIRD: It is prohibited to inseminate fertilized eggs into another woman. Precautionary measures must be taken to prevent the use of such fertilized eggs in this unlawful pregnancy.

Indeed, Allāh is All-Knowing.

## Resolution No. 56 (7/6) Fetus as a Source of Organ Transplantation

The Council of the International Islamic Fiqh Academy of the Organization of the Islamic Conference, holding its 6th session in Jeddah, Kingdom of Saudi Arabia on 17–23 Sha'bān 1410H (14–20 March 1990), HAVING EXAMINED the research papers and recommendations concerning the use of Fetus as a Source of Organ Transplantation, one of the topics of the Sixth Medical Fiqh Symposium held in the State of Kuwait, on 23–26 Rabi' al-Awwal 1410H (23–26 October 1990), held jointly by the Academy and the Islamic

Organization for Medical Sciences of Kuwait, Resolves

FIRST: It is not permissible to use fetus as source of obtaining organs to be transplanted in another human, except in certain cases and under certain conditions which must be fulfilled:

a. It is not permissible to make an abortion in order to use the fetus for the transplantation of its organs into the body of another person. Abortion should be restricted in the case of miscarriage or Shariah-approved abortion, and no surgical operation should be resorted to in order to remove the fetus unless it is essential to save the mother's life.

b. If the fetus has a chance of remaining alive, medical treatment must be directed to keep it alive, and not for using it in organ transplantation. If it cannot survive, it must not be used except after its death in accordance with the conditions stipulated in Academy resolution no. 26 (1/4) at its fourth session. SECOND: Organ transplantation surgery must not, at all, be used for commercial purposes. THIRD: Supervision of organ transplantation surgeries must be entrusted to specialized and reliable authorities.

Indeed, Allāh is All-Knowing.

## Resolution No. 57 (8/6) Genital Transplantation

The Council of the International Islamic Fiqh Academy of the Organization of the Islamic Conference, holding its 6th session in Jeddah, Kingdom of Saudi Arabia on 17–23 Sha'bān 1410H (14–20 March 1990), HAVING EXAMINED the research papers and recommendations on Genital Transplantation, one of the topics of the Sixth Medical Fiqh Symposium held in the State of Kuwait, on 23–26 Rabi' al-Awwal 1410H (23–26 October 1990), held jointly by the Academy and the Islamic Organization for Medical Sciences of Kuwait, Resolves

First: Transplantation of Sexual Glands Since the testicles and ovaries continue to carry and transmit hereditary attributes to the transferee, even after being transplanted into a new transferee, their transplantation is prohibited according to Shariah. Second: Transplantation of Reproductive Organs Transplantation of some genital organs which do not transfer hereditary attributes, except intimate parts, is permissible for a legitimate necessity, in accordance with Shariah norms and criteria stipulated in the Academy resolution no. 26 (1/4) at its fourth session.

Indeed, Allāh is All-Knowing.



## Resolution No. 58 (9/6) Retransplantation of an Organ amputated in Qiṣāṣ (Retaliatory Punishment) or Ḥadd (Prescribed Punishment)

The Council of the International Islamic Fiqh Academy of the Organization of the Islamic Conference, holding its 6th session in Jeddah, Kingdom of Saudi Arabia on 17–23 Shaʿbān 1410H (14–20 March 1990), HAVING EXAMINED the research papers submitted to the Academy concerning Retransplantation of an Organ amputated in Qiṣāṣ (Retaliatory Punishment) or Ḥadd (Prescribed Punishment), HAVING LISTENED to the discussions on the subject, HAVING CONSIDERED that the objective of Shariah in the application of Ḥadd punishment is deterrence by maintaining its appearance in order to remain a permanent lesson for offenders and eradicate the opportunities of further crimes, GIVEN that the retransplantation of an amputated organ requires – according to modern medical science – an immediate surgical intervention, which cannot be performed without prior arrangement and special medical preparations, such an action may suggest the lack of seriousness in the application of Ḥadd and its expected effects, Resolves

FIRST: It is not permissible to restore an organ amputated in Ḥadd because the objective of such punishment can be achieved only if its effects remain apparent even after punishment. This is the only way to prevent any neglect in the application of the punishment and avoid any possible conflict with evident provisions of Shariah. SECOND: Since the Qiṣāṣ (retaliation) has been ordained in order to establish equity and to give justice to the aggrieved person, and to secure the right of living in society and to provide peace and stability; therefore, it is not permissible to restore an organ amputated Qiṣāṣ except in the following cases:

- The aggrieved person gives permission to the offender, after the application of Qiṣāṣ, to restore the amputated organ.
- The aggrieved person has been able to restore his own organ.

THIRD: If an organ has been amputated due to an error in the judgment or execution, it is permissible to restore the same.

Indeed, Allāh is All-Knowing.

## Resolution No. 59 (10/6) Financial Markets

The Council of the International Islamic Fiqh Academy of the Organization of the Islamic Conference, holding its 6th session in Jeddah, Kingdom of Saudi Arabia on 17–23 Shaʿbān 1410H (14–20 March 1990), HAVING REVIEWED the research papers, recommendations, and conclusions of the Financial Markets Seminar held in Rabat, Kingdom of Morocco on 20–24 Rabīʿ al-Akhir 1410 (20–24 October 1989), in collaboration between the Academy and the Islamic Research and Training Institute (IRTI) of the Islamic Development Bank (IDB), and hosted by the Ministry of Habous and Islamic Affairs of the Kingdom of Morocco, IN THE LIGHT of Shariah principles encouraging lawful earning and investment of wealth and savings through Islamic investments based on the principle of burden-sharing and risks bearing, such risks liability, GIVEN the important role of the financial markets in mobilizing the economy and stimulating investment activities, and that due importance should be given to these markets and to studying their contemporary problems in the light of Shariah will enable humanity to understand Islamic jurisprudence regarding them, in harmony with the efforts of fiqh scholars to explain Shariah rulings on financial transactions, in particular the principles governing the market and the system of Hisbah (accountability) for the supervision of markets, including giving equal importance to “secondary markets” which may facilitate investors’ return to initial markets and provide a chance to access liquidity, and promote investment by giving investors confidence that they can leave the markets if necessary, HAVING EXAMINED the research papers submitted in this session concerning systems and laws of the present-day financial markets, their procedures and instruments, Resolves

FIRST: The Financial markets should be given due importance in order to discharge the obligation of preserving wealth and ensuring its growth, because it leads to meet the general human needs and discharge the spiritual and material duties relating to wealth. SECOND: Although the original concept of financial markets is sound and its application is very much needed in the present-day context, yet their existing structure does not present an example to carry out the objective of investment and growth of capital within

the Islamic framework. This situation requires serious academic efforts to be undertaken in collaboration between the Fiqh scholars and the economists, so that it may be possible to review the financial markets’ existing systems, procedure and instruments and to amend what needs to be amended in accordance with Shariah principles. THIRD: The financial markets are established through administrative and procedural systems; therefore, the adoption of these systems can be attributed to the legal maxim of Al-Masalih Al-Mursalah (unrestricted public interests) which is a recognized Shariah principle and does not contravene any of its injections or principles. It therefore relates to the regulations introduced by the State authorities, in order to organize professions and public services. If such regulations are implemented in full compliance with Shariah principles and injunctions, no one has the right to violate them or to seek ways to circumvent them. Recommendation

To further examine the instruments and formulas used in financial markets through adequate fiqh and economic studies.

Indeed, Allāh is All-Knowing.

## Resolution no. 60 (11/6) Bonds

The Council of the International Islamic Fiqh Academy of the Organization of the Islamic Conference, holding its 6th session in Jeddah, Kingdom of Saudi Arabia on 17–23 Shaʿbān 1410H (14–20 March 1990), HAVING REVIEWED the research papers, recommendations, and conclusions of the Financial Markets Seminar held in Rabat, Kingdom of Morocco on 20–24 Rabīʿ al-Akhir 1410 (20–24 October 1989), in collaboration between the Academy and the Islamic Research and Training Institute (IRTI) of the Islamic Development Bank (IDB), and hosted by the Ministry of Habous and Islamic Affairs of the Kingdom of Morocco, HAVING CONSIDERED that a bond is a certificate by which its issuer undertakes the liability of paying its nominal value to the bearer on its maturity along with an agreed-upon interest relating to its value or to a predetermined profit, either in lumpsum or as a discount or in the form of prizes to be distributed on the basis of ballot, Resolves

FIRST: The bonds which represent a commitment to pay its amount along with an interest related to its nominal value or to a predetermined profit are prohibited in Shariah. Their issues, their purchase and their trading, all are prohibited because they are interest-bearing loans, no matter whether their issuing authority belongs to the private sector or is a State-affiliated public entity.

The alteration in the nomenclature, such as calling the bonds "certificate" or "investment securities" or "saving certificates" or calling the interest as "profit" or "income" or "service charge" or "commission" have no effect on the aforementioned ruling. SECOND: The "zero coupon bonds" are also prohibited because they are loans sold at a price inferior to their nominal value, and the owners of such bonds benefit from the difference in their prices which is considered a discount on the bonds. THIRD: Similarly, the "prize bonds" are also prohibited because they are loans in which a liability to pay a predetermined profit or an additional amount is undertaken in favor of their bearers as a whole, or in favor of an undermined number of persons out of them. Moreover, these bonds have a resemblance with gambling (qimār). FOURTH: The usury-based bonds, which are prohibited, can be substituted by the bonds and certificates issued on the basis of a contract of Muḍārabah (profit and loss sharing) meant for a particular project or a particular enterprise or company, wherein no predetermined profit or interest shall be paid to the bearers, but they shall be entitled to get a proportionate share in the profit of the project in relation to the proportion of their respective investments. This profit cannot be given to them unless it has been effectively accrued. A scheme of the Muḍārabah certificate has already been approved by the Academy in resolution no. 30 (5/4) issued at its fourth session, concerning Muqāraḍah Bonds.

Indeed, Allāh is All-Knowing.

## Resolution No. 61 (12/6) Topics and Seminars suggested by the Planning Division of the Academy

The Council of the International Islamic Fiqh Academy of the Organization of the Islamic Conference, holding its 6th session in Jeddah, Kingdom of Saudi Arabia on 17–23 Sha'bān 1410H (14–20 March 1990), HAVING STUDIED the Planning Division's report submitted to the Secretariat General of the Academy and distributed to Council members, including the topics proposed to the Council and prioritized in a list including the following topics:

1. International Rights in Contemporary Islamic Fiqh
2. Marriage and Inheritance in Contemporary Islamic Fiqh
3. Contemporary Islamic Thought
4. Worships in Contemporary Islamic Fiqh
5. Transactions and Economy in contemporary

Islamic Fiqh

6. The Fundamentals of Fiqh in the light of the Modern Age.
7. Medicine and Sciences
8. Contemporary Issues and Calamities (except those mentioned above).

The report also suggests holding seminars on the following topics:

1. Women's Rights and Duties in Islam
2. International Rights in Islam
3. Human Rights and Coordination with the OIC's Efforts in this regard
4. Rights of the Child in Islam with a note on the International Convention on the Rights of the Child
5. Non-Muslims under Islam: Rights and Duties
6. Muslims between Originality and Dependence in the Modern World
7. Studies on Islamic Constitutional Models
8. Islam's position regarding modern arts (painting, singing, music and acting)
9. Islamic Governance System: Foundations, Principles and Major Issues in the Modern Time
10. Media and Modern Means of Communication from an Islamic Perspective
11. Islamic Jurisprudence's Rulings regarding Fluctuations of Convertible Currencies
12. Social Solidarity (Takaful) in Islam in light of Modern Applications
13. Treasury Bonds and Investment Certificates
14. Options and Futures in Financial Markets Resolves

FIRST: Due consideration be given the above-mentioned proposals and entrusting the Secretariat General of the Academy to select from among these topics, according to the general interest, especially those proposed in the previous session. SECOND: Entrusting the Secretariat General of the Academy to organize the proposed seminars, prioritising the topics that have already been proposed at the previous sessions, taking into account the circumstances and means available.

Indeed, Allāh is the Giver of success.

## Resolution No. 62 (13/6) Recommendations of the Sixth Council Meeting of the Academy

The Council of the International Islamic Fiqh Academy of the Organization of the Islamic Conference, holding its 6th session in Jeddah, Kingdom of Saudi Arabia on 17–23 Sha'bān 1410H (14–20 March 1990), Recommendations

FIRST: Calls upon all Muslims to solidarity, unification of their word and attachment to Islamic solutions to their problems; to fulfill their duty of presenting Islam to the world, as a radical solution to its problems, instead of hiding themselves behind materialistic principles which failure became evident. Also, calls upon all Muslims to pay due attention to the fate of their brothers in the Eastern countries and defend their legitimate rights to preserve their religious personality and enjoy their human rights. SECOND: Condemns the deportation of Soviet Jews to Palestine, the Land of the Nightly Ascension, and is of the opinion that this constitutes a great danger confronting the Ummah as a whole. The Academy call upon the Arab and Muslim Countries to unite their voice and their position to face this imminent threat and to use all possible means to liberate the occupied territories and the religious sites, and to save the station of the Prophet's Ascension of its transgressors, and to support the (Palestinian) "Intifada" (uprising) against the Zionist enemy, in order to help it achieve its goal and ensure its continuity.

THIRD: To focus on all media and information means in Muslim countries, work on guiding them towards the right path in the service of Islam and facing contemporary challenges. Also, entrusts the Secretariat General of the Academy to organize a special seminar on media. FOURTH: To organize a seminar on contemporary arts such as acting, singing, music, dance, etc. and all other types of arts used by media. FIFTH: To undertake in-depth research and studies on the multiplicity of kafārah (expiation of multiple homicides) to issue an appropriate resolution in this regard. SIXTH: To postpone the examination of the issue of "Company Shares," in order to undertake more in-depth studies of this subject. SEVENTH: To organize a seminar on "Options and Futures." EIGHTH: To establish, at the discretion of the Secretary General of the Academy, a committee composed of Fiqh scholars and economists, in order to answer the questions submitted by the Islamic Development Bank regarding participation in joint-stock companies.

Indeed, Allāh is the Giver of success.

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## IIFA Mourns H.E. Dr. Ahmed Rajaei Aljundi, A Physician Among Theologians



**“{Every soul will taste death. Then to Us will you be returned. And those who have believed and done righteous deeds – We will surely assign to them of Paradise [elevated] chambers beneath which rivers flow, wherein they abide eternally. Excellent is the reward of the [righteous] workers, who have been patient and upon their Lord rely.}” - Al-Ankabut (The Spider), 57-59**

It is with great sadness that the Secretariat General of the International Islamic Fiqh Academy (IIFA) announces the passing of the esteemed physician scholar, Dr. Ahmed Rajaei Aljundi, former member of the Academy,

on Wednesday, 24 Ramadan 1445, corresponding to 3 April 2024. Dr. Ahmed Rajaei Aljundi led a long and blessed life dedicated to serving his religion and community with sincerity and devotion. He made significant contributions to Islamic jurisprudence through the Islamic Organization for Medical Sciences and the International Islamic Fiqh Academy over several decades. His expertise was invaluable to the Academy, particularly in addressing medical issues and developments that required Shariah rulings. Known for his calm demeanor and fine manners, Dr. Aljundi worked closely with religious scholars and theologians, helping them understand the complexities of medical issues and advancements. His insightful analyses and ability to simplify medical

terminology were highly appreciated during the Academy’s sessions, significantly influencing the resolutions on medical matters. The International Islamic Fiqh Academy, including its presidency, Secretariat General, and staff, extends its heartfelt condolences and deepest sympathy to the family, relatives, and loved ones of the deceased. We pray that Allah bestows His mercy upon Dr. Ahmed Rajaei Aljundi, forgives him, and grants him a place in Paradise alongside the prophets, the truthful, the martyrs, and the righteous. “To Allah we belong and to Him we shall return.”

**Prof. Koutoub Moustapha Sano**  
**Secretary General**  
**International Islamic Fiqh Academy**

## S.G. greets His Majesty King Mohammed VI at Hassanian Lectures

At the kind invitation of the Ministry of Awqaf and Islamic Affairs in the Kingdom of Morocco, H.E. Prof. Koutoub Moustapha Sano, Secretary General of the International Islamic Fiqh Academy, participated in the Hassanian Lectures organized by the Ministry from 15-21 Ramadan 1445, corresponding to 24-31 March 2024. His Excellency attended the fourth lecture delivered by Sheikh Khumar El-Bakkali, a member of the Moroccan Scientific Council in Europe, titled «Sharia Foundations for Building Patterns of Human Coexistence,» on Thursday, 18 Ramadan, corresponding to 28 March 2024. Sheikh El-Bakkali emphasized the importance and necessity of coexistence, describing it as the weaving of relations



between all societal groups based on harmony and respect, aligned with the interests of individuals and groups. He noted that in contemporary times, the concept of common citizenship involves respect for cultural, religious, and ethnic diversity. Coexistence, as advocated by rational individuals, stems from a mutual determination for cooperation that benefits humanity as a whole. Throughout history, the lecturer explained, humanity has seen that the greater good lies in coexistence, while selfishness has led to discord and injustice. He also highlighted that coexistence extends to international relations, founded on peace and good treatment, as well as public relations, including patient



care in health facilities, employment, and lawful work. Sheikh El-Bakkali stressed that the areas of agreement and cooperation among different people are far broader than those who misunderstand Sharia might assume, thinking it prevents convergence with others. Addressing the criteria for coexistence, he pointed out that Islam not only recognizes but also establishes and calls for coexistence. To prevent coexistence from becoming meaningless or dysfunctional, Islam sets certain controls. Key among these are that coexistence should not violate core principles of belief, obligatory acts

of worship, known prohibitions, explicit religious texts, or unanimous Muslim consensus. At the conclusion of the lecture, H.E. Prof. Koutoub Moustapha Sano extended his greetings to His Majesty, expressing his honor to meet him and praying for his continued success and health. He also conveyed his gratitude to His Majesty for honoring scholars and intellectuals from around the world by presiding over the prestigious Hassanian Lectures annually. Prof. Sano expressed his pleasure and satisfaction with the Kingdom's ongoing development and progress at all levels.





## At Mohammed V University in Rabat, S.G. calls for promoting Ijtihad



Under the patronage of the Moroccan Ministry of Awqaf and Islamic Affairs, H.E. Prof. Koutoub Moustapha Sano, Secretary General of the International Islamic Fiqh Academy, delivered a lecture titled «Ijtihad and the Issues of the Age» on Wednesday, 17 Ramadan 1445 AH, corresponding to 27 March 2024, at the Faculty of Arts and Humanities, Mohammed V University in Rabat. Prof. Sano thanked the university's dean for the invitation and praised the institution's long-standing intellectual and scientific legacy. He acknowledged the university as a beacon of Islamic thought and knowledge in Morocco. In his lecture, Prof. Sano emphasized the harmony between reason and transmission in Islamic thought, highlighting their essential roles in Ijtihad. He noted that early Islamic thought

experienced a perceived conflict between reason and transmission, but stressed that sound reasoning and correct transmission should not contradict each other. He asserted that appropriate transmission relies on sound reasoning for understanding, conveying, and dissemination. Prof.



Sano underscored the importance and necessity of Ijtihad in every era, pointing out that the flexibility and timelessness of Sharia depend on ongoing Ijtihad. He dismissed the notion that «the gate of Ijtihad had been closed,» emphasizing that Ijtihad

demonstrates Islam's relevance across time and place. He elaborated on the legitimate proofs and significance of Ijtihad, drawing from the Qur'an and the Prophet's Sunnah. He urged attention to the profession of the «mujtahid,» emphasizing the need for extensive knowledge acquisition and integration of sciences to transition Ijtihad from theory to practice. Prof. Sano remarked on the historical context, noting that the decline in the Ummah's scientific generation began in the fourth century AH, coinciding with significant challenges such as the Mongol invasion and the fall of Baghdad. During such periods, scholars stressed the importance of Maqasid (objectives of Sharia) to ensure that Sharia rulings align with their purposes. Prof. Sano also called for greater focus on human sciences, advocating for mujtahids to be well-versed in these areas to balance the contents of various texts with contemporary realities and human conditions. He emphasized a Maqasid-oriented, realistic, and rational approach to Ijtihad, urging the development of curricula that equip individuals with the necessary tools and knowledge to practice Ijtihad confidently and competently. Concluding his lecture, Prof. Sano called for the continued integration of Islamic studies and humanities. He explained that any perceived conflict arises from a flaw in either reason, by exceeding its Sharia-defined boundaries, or transmission, by being weak or misinterpreted. Such conflicts, he asserted, cannot be attributed to Sharia itself.



## S.G. lectures on Religious Workers' Role in Tackling Modern Issues



H.E. Prof. Koutoub Moustapha Sano, Secretary General of the International Islamic Fiqh Academy, delivered a lecture titled «The Role of Religious Workers in Addressing Contemporary Issues» at the Mohammed VI Institute for Imams on Monday, Ramadan 1445, corresponding to 25 March 2024, in Rabat, Morocco. Prof. Sano began by highlighting the vital role of religious workers in society. He



stated, “The religious worker—whether an imam, guide, leader, mentor, teacher, or counselor—is a beacon for all nations. In a world rife with problems, their guidance is indispensable.” He referenced the Qur’anic verse: “And who is better in speech than one who invites to Allah and does righteousness and says, ‘Indeed, I am of the Muslims’” (Fussilat 41:33). Prof. Sano emphasized that this sacred mission requires specific components and pillars, as outlined in the verse: “Invite to the way of your Lord with

wisdom and good instruction and argue with them in a way that is best. Indeed, your Lord is most knowing of who has strayed from His way, and He is most knowing of who is [rightly] guided” (al-Nahl 16:125). He stressed that religious workers must approach issues with wisdom, appropriate persuasion, and the best argumentation. Deviating from these principles would hinder the effectiveness of their mission. He also spoke about the qualities necessary for religious workers, emphasizing the importance of choosing words wisely and speaking when it benefits the audience. Prof. Sano highlighted that wisdom involves addressing problems appropriately, leading to good

preaching, which avoids defamation, shaming, and attacking others while remaining faithful to God. Prof. Sano urged religious workers to follow the example of the Prophet Muhammad (PBUH) in their approach, avoiding harshness and rudeness, and instead using gentleness, kindness, and compassion. Effective preaching aims to reform those involved in sin, not to defame or dishonor them. He called for religious workers to engage in dialogue and persuasion with respect and humility, accepting differences and recognizing that others may have valid perspectives. He also warned against hastily issuing fatwas or judgments on contemporary issues, advising that such matters should be handled by qualified institutions and scholars. The role of religious workers is to educate, guide, transmit, and dialogue wisely, leaving fatwa issuance to those with the necessary expertise. Concluding his lecture, Prof. Sano reiterated the crucial role of religious workers in society. He urged them to highlight the benefits that Allah has attributed to sincere preachers, fostering a society of cooperation, solidarity, and stability, free from takfir, violence, and extremism, by adhering to the teachings and approach of the Prophet Muhammad (PBUH).





## S.G. urges Revision of Traditional Education Stages at Rabat Conference



On the sidelines of the Hassanian Lectures organized by the Ministry of Awqaf and Islamic Affairs in Morocco, H.E. Prof. Koutoub Moustapha Sano, Secretary General of the International Islamic Fiqh Academy (IIFA), delivered a lecture titled “Educational Stages between Tradition and Renewal: A Reading of the Traditional Educational System in the Light of Reality” on Tuesday, 16 Ramadan 1445, corresponding to 26 March 2024, at Dar Al-Hadith Al-Hussaniya in Rabat, Morocco. Prof. Sano began by expressing sincere thanks and appreciation to the leaders of Dar Al-Hadith Al-Hussaniya for their warm welcome and the organization of this scientific lecture. He described the lecture as a renewed look at the challenging issue

of education, particularly the need to review both educational stages and curricula. He explained that educational curricula and stages form part of a broader educational system, comprising the academic staff, students, educational institutions, and the stages of education that individuals pass through to acquire knowledge. These stages include kindergarten, primary, middle, secondary, university, and post-university levels. He emphasized that the success of the educational system depends on all these phases and that renewing the system must be comprehensive, addressing not only curricula but also the educational stages. Prof. Sano traced the history of the current educational stages back to the nineteenth century,

specifically 1893, during the second industrial revolution. He noted that the industrial revolutions (first: 1840-1869, second: 1860, third: up to 2000, and fourth: from 2000 onwards) brought significant changes, including the advent of the internet, AI, and digital communication. The second industrial revolution, in particular, led to the creation of basic educational stages, moving beyond the limited focus on reading and writing to include subjects like math and physics. He highlighted that, initially, education was accessible only to a certain social class, but the second industrial revolution necessitated more widespread education. Russia was the first country to implement 12 years of basic education, which later influenced other countries like America. Prof. Sano discussed the current reality



of inherited educational stages, emphasizing the need to adapt them to reflect contemporary realities and address the ambitions and challenges of the Islamic nation. He stressed the importance of reviewing the traditional educational stages to ensure the information, skills, and knowledge imparted are relevant to today's world. He concluded by calling for the utilization of the modern industrial revolution's advancements in information and education. Prof. Sano advocated for a reduction in the quantity of information provided by educational institutions to focus on essential and vital knowledge that fosters societal and civilizational development.



## 17th Joint Weekly Meeting of Departments and Divisions

Prof. Koutoub Moustapha Sano, Secretary General of the International Islamic Fiqh Academy (IIFA), chaired the seventeenth joint weekly meeting of IIFA's departments and divisions on Monday, 11 Ramadan 1444, corresponding to 21 March 2024, at the Secretariat General's headquarters in Jeddah. He began by welcoming the attendees and thanking them for their participation, noting that this and future meetings would be joint to monitor the progress of the 26th session of the Academy. Prof. Sano shared his experience at the international conference, "Building Bridges Between Islamic Schools," organized by the Muslim World League under the patronage of the Custodian of the Two Holy Mosques. He delivered a speech at the conference's closing



session and expressed gratitude to the Kingdom of Saudi Arabia, its leadership, and its people for the invitation. He also thanked Sheikh Dr. Mohammed bin Abdul Karim Alissa, Secretary General of the Muslim World League, for this initiative, which rekindles hope that the Ummah can address numerous issues and

challenges. Emphasizing the Academy's values of cooperation, integration, and solidarity, Prof. Sano urged the departments and divisions to collaborate and work together to ensure the success of the 26th session. The meeting reviewed previous decisions and made new ones, including:

- Reorganizing the library's books, categorizing them, and updating the information on the computer software.
- Designing the brochure for the 26th session and completing the documentary film production well before the session.
- Distributing IIFA's newsletters for the past three years in three languages to delegations, embassies, and consulates.

## 125th Weekly Meeting of Departments

The International Islamic Fiqh Academy convened its 125th meeting of the departments on Sunday, 14 Ramadan 1445, corresponding to 24 March 2024, at the Secretariat General's headquarters in Jeddah. Chaired by H.E. Prof. Koutoub Moustapha Sano, Secretary General of the Academy, the meeting began with a warm welcome to the attendees. Prof. Sano discussed his upcoming visit to Morocco to participate in the Hassania Lectures, an annual event during Ramadan. During this visit, he will meet with several officials to discuss rescheduling the Academy's future session in Morocco, which was postponed due to last year's earthquake. He will

also consult with Moroccan scholars on various issues, including a draft cooperation agreement with Morocco's Supreme Scientific Council. Emphasizing the importance of time management, Prof. Sano reminded everyone of the value of time and the necessity of preserving it in their work. He cautioned against wasting time on activities unrelated to the Academy's objectives and stressed the need for diligent adherence to time management principles. The meeting reviewed previous decisions and made new ones, including:

- Collaborating with the Media Department of the Muslim World League (MWL) to leverage their expertise in producing a



documentary film about the Academy.

- Typesetting research papers for the upcoming Cultured Meat Symposium.
- Typesetting research papers for the upcoming symposium on the Role of Religious Leaders in Combating Violence Against Women.

## 126th Weekly Meeting of Departments



The International Islamic Fiqh Academy (IIFA) convened its 126th meeting of departments on Monday, 22 Ramadan 1445, corresponding to 01 April 2024, at IIFA's headquarters in Jeddah. The meeting was

chaired by H.E. Prof. Koutoub Moustapha Sano, Secretary General of the Academy. Prof. Sano shared the honor of greeting His Majesty King Mohammed VI of Morocco while attending the Al-Hassaniya Lectures, organized by the Moroccan Ministry of Awqaf and Islamic Affairs and presided over by the King. During his visit, he delivered lectures on various topics, including «Ijtihad and Contemporary Issues» at the Faculty of Arts and Humanities at Mohammed V University in Rabat, the role of religious actors in society at the Imams Training Institute, and educational stages between tradition

and renewal at Dar Al Hadith Al Hassaniya. The meeting reviewed previous decisions and made new resolutions, including:

- Preparing a database containing participants' passport photos and expiration dates for submission to relevant departments.
- Completing the design and typesetting of the brochure for the Cultured Meat Symposium and printing the research papers.
- Completing the design and typesetting of the brochure for the seminar on the role of religious leaders in combating violence against women and printing it.

## 127th Weekly Meeting of Departments

H.E. Prof. Koutoub Moustapha Sano, Secretary General of the Academy, chaired the 127th weekly meeting of departments on Tuesday, 21 Shawwal 1445, corresponding to 30 April 2024, at the Secretariat General's headquarters in Jeddah. His Excellency welcomed the attendees and discussed the contents of the annual strategic plan to ensure that activities and programs are implemented on schedule. He directed the Planning Department to prepare a report on the strategic plan's activities and programs. His Excellency also spoke about his participation in the International Conference on the Role



of Universities in Promoting the Values of National Belonging and Peaceful Coexistence in Riyadh, held under the patronage of the Custodian of the Two Holy Mosques, King Salman bin Abdulaziz Al Saud, and his

involvement in the Accountancy Commission Conference. The meeting reviewed previous decisions and made new resolutions, including:

- Planning a joint program to hold a symposium or scientific conference between IIFA and the Muslim World League and between IIFA and the Presidency of the Two Holy Mosques.
- Completing the final design and printing the research papers for the symposium on the Role of Religious Leaders in Combating Violence Against Women.

## 58th Periodic Meeting of Divisions



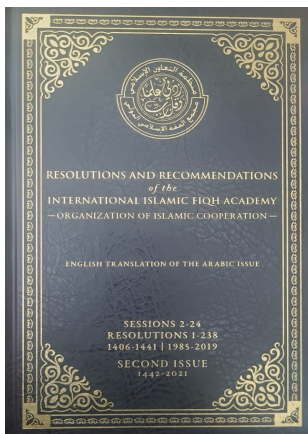
H.E. Prof. Koutoub Moustapha Sano, Secretary General of the Academy, chaired the 58th periodic meeting of the Academy's divisions on Thursday, 25 Ramadan 1445, corresponding

to 4 April 2024, at the Secretariat General's headquarters in Jeddah. His Excellency began by paying tribute to the late scholar and physician Dr. Ahmed Raja Al-Jundi, a former member of the Academy, who passed away on 24 Ramadan 1445. He highlighted Dr. Al-Jundi's merits and contributions and extended the Academy's heartfelt condolences to his family, the Arab Republic of Egypt, and the entire Ummah. His Excellency emphasized the importance of adhering to the ethics of distinguished work to

enhance performance at the Academy. He urged all employees to cooperate and integrate for the benefit of the work and its continuity at the required level. The meeting reviewed previous decisions and made new resolutions, notably:

- Informing all staff that taking leave requires submitting a request at least one day in advance.
- Updating IIFA's YouTube channel and regularly uploading lectures and news.
- Completing the translation of IIFA members' biographies and publishing them on the website.

## 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 humanity that will remain forever on earth.





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. 63 (1/7) Financial Markets (Shares, Options, Commodities, and Credit Cards)

The Council of the International Islamic Fiqh Academy of the Organization of the Islamic Conference, holding its 7th session in Jeddah, Kingdom of Saudi Arabia on 7–12 Dhū al-Qa'dah 1412H (9–14 May 1992), HAVING EXAMINED the research papers submitted to the Academy concerning Financial Markets (Shares, Options, Commodities, Credit Cards), HAVING LISTENED to the discussions on the subject, Resolves

First: Shares

1. Acquisition of Shares in Companies:
  - a. Since lawfulness is the primary judgment regarding transactions, creating a joint-stock company with permissible purposes and licit activities is also lawful.
  - b. There is no legal disagreement on the prohibition of participating in companies whose main purpose is haram, such as engaging in Ribā-based transactions, forbidden products, and trading them.
  - c. Prohibition is the primary judgment regarding participation in joint-stock companies that may sometimes engage in prohibited transactions such as Ribā-based transactions, even though their main activities may be lawful under Shariah.

2. Underwriting:

Underwriting is an agreement made upon the establishment of a company with someone who undertakes to guarantee the sale of all or part of the shares issued, i.e. to undertake to subscribe for all shares that remain unsubscribed by others. There is no Shariah

prohibition to this provided that the obligee subscribes to the shares at nominal value without any compensation for the commitment per se though the obligee may receive compensation for work other than the underwriting – that he may carry out such as studies or marketing shares.

3. Payment in Installments of the Share's Value at the Time of Underwriting:

There is no Shariah prohibition to the partial payment of the value of the subscribed share and to deferred payment of the remaining installment(s) as it may be considered as participation with down payment and commitment to capital increase. This does not involve any prejudice since it applies to all shares in the company's liability to third parties and covers the declared capital entirely, this being the amount that the company clientele has been informed of and satisfied with.

4. Bearer Shares:

Since the sale of a "bearer share" involves an unidentified portion of the company assets, and the share certificate is a document that attests to entitlement to the said portion, there is no Shariah prohibition to the company issuing and circulating shares in this manner.

5. Contract Object in the Sale of Shares:

The object of the contract in the sale of Shares is the unidentified portion of the company assets and the share certificate is a document attesting to entitlement to the said portion.

6. Premium Shares:

It is not permissible to issue premium shares with financial privileges that involve guaranteed payment of the capital or of a certain amount of profit or ensure precedence over other shares at the time of liquidation or distribution of dividends.

It is, however, permissible to give certain shares such privileges relating to procedural or administrative matters.

7. Trading Shares by Means of Ribā:

a. It is not permissible to purchase a share with an interest-based loan offered to the purchaser by the broker or any other party against pawning of the share as this involves a ribā (usury) transaction and its consolidation by mortgage, which are clearly forbidden by the ḥadīth "the eater, the agent, the clerk and the witness of Ribā shall be accursed."

b. It is also not permissible to sell a share

that the seller does not possess but has received a pledge from the broker to be loaned the share at the time of delivery since such a deal falls within the framework of selling something that the seller does not own. The prohibition shall be more categorical if the deal is conditional upon the payment of the share price to the broker who would benefit by depositing this price with interest to obtain compensation for the loan.

8. Sale or Pawning of Shares:

It is permissible to sell or pawn a share subject to the provisions of the company statutes, such as the possible allowance therein for sale, whether free or conditional upon giving priority of purchase to long-standing shareholders. Similarly, the statutes should be considered for the possibility of pawning shares with partners at the rate of the ordinary share.

9. Issuance of Shares with Issuance Fees:

Adding a certain percentage to the value of the share to cover the issuance expenses is not subject to a prohibition in Shariah as long as the estimated rate is reasonable.

10. Bonus Issuance and Discount Issuance:

It is permissible to issue new shares to increase the company capital if the issuance is made at real value of the shares, based on experts' estimation of the company assets or at market value.

11. Company Guarantee of Share Repurchase:

The Academy resolved to postpone the adoption of a resolution on this subject until a future session, pending further research and examination.

12. Determining the Liability of a Limited Joint-Stock Company:

There is no prohibition in Shariah to creating a joint-stock company with a liability limited to its capital, for that is known to the company's clientele and this awareness on their part excludes uncertainty. Nor is there any prohibition in Shariah to the fact that some shareholders' liability to the creditors is unlimited without compensation for such a commitment, which is in the case for companies with both acting partners and limited partners.

13. Limiting Shares Trading to authorized Brokers and Stipulating Fees to enter their Markets:

It is permissible for competent official entities to regulate the trading of certain shares through licensed specialist brokers exclusively for, that is, an official



procedure that serves legitimate interests.

It is also permissible to stipulate membership fees for transacting dealers in the financial markets as this is an organizational procedure designed to serve the said legitimate interests.

#### 14. Priority Right:

The Academy resolved to postpone the adoption of a resolution on this subject until a future session, pending further research and examination.

#### 15. Property Right Certificate:

The Academy resolved to postpone the adoption of a resolution on this subject until a future session, pending further research and examination.

#### Second: Options

##### 1. Form of Options Contract

The purpose of an options contract is to permit withdrawal of a commitment to sell or buy something specific and described at a definite price during a given period or at a given time either directly or through an entity that guarantees the two parties' rights.

##### 2. Shariah Rulings

As currently applied in the global financial markets, options contracts are a new type of contracts that do not fall under any one of the Shariah nominate contracts.

Since the object of the contract is neither a sum of money nor a utility or a financial right which may be waived, then the contract is not permissible, according to Shariah.

Since these contracts are initially not permissible, neither is their trading.

#### Third: Dealing in Commodities, Currencies, and Indices in Organized Markets

Commodity transactions in the organized markets are carried out in accordance with one of the four following modes:

FIRST MODE: The contract stipulates the right (of the buyer) to the immediate delivery of the merchandise sold and immediate payment (to the seller) of its price, and the commodities or receipts representing them are available with the permission of and held by the vendor. This contract is permissible in Shariah with the well-known conditions of sale.

SECOND MODE: The contract stipulates the right to the immediate delivery of the commodities sold and immediate payment of their price and for the possibility of carrying out these two actions with the guarantee of the market authority. This contract is permissible in Shariah with the well-known conditions of sale.

THIRD MODE: The contract provides for delivering a described and secured merchandise at some future date, and payment of its delivery

price. It also stipulates that it shall end with the actual delivery and receipt of the merchandise.

This contract is not permissible in Shariah because of the postponement of the two elements of the exchange. It may be amended to meet the well-known conditions of Salam sale; and if it does so, it shall become permissible.

Moreover, it is not permissible to sell a merchandise purchased under Salam sale before its payment, unless the merchandise has already been received.

FOURTH MODE: The contract stipulates delivering a described and secured merchandise at a future date, and the payment of its delivery price. The contract, however, does not stipulate that it shall end with the actual delivery and receipt of the merchandise, and thus it may be terminated by an opposite contract. This type of contract is the most prevalent in the commodity markets and it is essentially not permissible by Shariah.

#### 2. Trading Currencies:

Currency transactions, in the organized markets, are carried out in accordance with one of the four modes mentioned above for the commodities.

Purchase and sale of currencies are not permissible through the third and fourth modes. They are, however, permissible through the first and second modes provided they meet the well-known currency exchange conditions.

#### 3. Trading Indices:

An index is a figure calculated according to a special statistical method and designed to indicate the volume of variation in a given market. It is the object of transactions in several world markets.

Sale and purchase of the index are not permissible since they are pure gambling and constitute the sale of something fictitious (non-existent).

#### 4. Shariah-compliant Alternatives to Prohibited Transactions in Commodity and Currencies

It is necessary to organize Islamic commodity and currency markets based on Shariah-compliant transactions, notably bay as-salam (advance payment sale), sarf (exchange), wa'd bi al-bay (promise to sell), istisna (production order), etc.

The Academy deems it necessary to make a comprehensive study of these alternatives' terms and conditions as well as their application modes in the organized Islamic market.

#### Fourth: Credit Cards

##### A. DEFINITION

The credit card is a document given by

its issuer to a natural or a legal person on the basis of a contract between them enabling the second party to buy goods or services from a vendor who approves the document, without paying the price immediately as the document includes the issuer's commitment to pay. Some types of this document make it possible to draw cash from the banks. Credit cards are of different types:

— For some of them, withdrawal or payment is made from the cardholder's account in the bank and not from the issuer's account and is therefore covered. For others, the payment is made from the issuer's account and is charged back to the holder at periodic intervals.

— Some cards impose usurious interests on the balance which remains unpaid during a specified period after due date. Others, also, do not impose any interests.

— Most credit card issuers charge an annual fee to the holder, while some other issuers do not charge any annual fee to its holder.

#### B. Shariah Characterization of Credit Cards

After discussions, the Academy resolved to postpone issuing a resolution concerning the characterization of this type of cards and its ruling in Shariah to a forthcoming session, pending further research and studies.

Indeed, Allāh is All-Knowing.

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## Resolution No. 64 (2/7) Installment Sale

The Council of the International Islamic Fiqh Academy of the Organization of the Islamic Conference, holding its 7th session in Jeddah, Kingdom of Saudi Arabia on 7–12 Dhū al-Qa'dah 1412H (9–14 May 1992), HAVING EXAMINED the research papers submitted to the Academy concerning Installment Sale, in continuation to resolution no. 51 (2/6) in this regard, HAVING LISTENED to the discussions on the subject, R e s o l v e s

FIRST: The installment sale is permissible in Shariah even if the deferred price exceeds the spot price.

SECOND: Trading instruments (cheques, promissory notes, exchange bills) are lawful types of debt authentication by recording it in writing.

THIRD: The discount of trading instruments is not permissible in Shariah, for it amounts to a transaction involving Ribā an-Nasī'ah (interest on delayed repayment) which is prohibited.

FOURTH: The discount of a deferred debt to accelerate its repayment, whether at the request

of the creditor or of the debtor (pay less but ahead of time), is permissible in Shariah and does not fall within Ribā if not based on a prior agreement and as long as the relationship between the creditor and the debtor are bilateral. If a third party is involved between them, the discount is not permissible, subject to the Shariah ruling regarding the discount of trading instruments. FIFTH: It is permissible for both parties to a debt to agree on the fact that all installments will be due for payment if the debtor refers to repaying any of the installments owned by him, as long as he is not insolvent. SIXTH: If a debt falls due following the death, bankruptcy or procrastination of the debtor, it is permissible in all these cases to discount the debt in order to accelerate settlement. SEVENTH: The criterion of insolvency, which necessitates deferment, is that the debtor shall have no assets above his basic needs to discharge his debt in cash or in kind. Indeed, Allāh is All-Knowing.

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### Resolution No. 65 (3/7) Istiṣnā' (Manufacturing) Contract

The Council of the International Islamic Fiqh Academy of the Organization of the Islamic Conference, holding its 7th session in Jeddah, Kingdom of Saudi Arabia on 7–12 Dhū al-Qa'dah 1412H (9–14 May 1992), HAVING EXAMINED the research papers submitted to the Academy concerning Istiṣnā' (Manufacturing) Contracts, HAVING LISTENED to the discussions on the subject, HAVING CONSIDERED the purposes of Shariah regarding public interests, and the Fiqh maxims concerning contracts and transactions, HAVING NOTED that Istiṣnā' contract plays an important role in stimulating industries and in paving the way for broad opportunities for financing and promoting the Islamic economy, Resolves

FIRST: Istiṣnā' contract, which has been mentioned with regard to work and goods on credit, is binding on both parties if it meets the basic requirements and conditions. SECOND: The Istiṣnā' contract must fulfill the following requirements:

- A clear statement of the nature, type, amount and required specifications of the product to be manufactured.
- A specification of the deadline.

THIRD: In the Istiṣnā' contract, it is permissible to defer payment in full or in installments according to predetermined installments and specific deadlines.

FOURTH: In the Istiṣnā' contract, it is permissible to include a penalty clause if both contracting parties agree, unless subject to force majeure.

Indeed, Allāh is All-Knowing.

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### Resolution No. 66 (4/7) Bay al-Wafa (Selling with Repurchase Right)

The Council of the International Islamic Fiqh Academy of the Organization of the Islamic Conference, holding its 7th session in Jeddah, Kingdom of Saudi Arabia on 7–12 Dhū al-Qa'dah 1412H (9–14 May 1992), HAVING EXAMINED the research papers submitted to the Academy concerning Bay al-Wafa (Selling with Repurchase Right), HAVING LISTENED to the discussions on Bay al-Wafa and its true nature, namely that the sale of a commodity on the condition that any time the seller returns the price, the purchaser returns to him the object of the sale, Resolves

FIRST: This type of sale is in fact “a loan which generates a benefit”; therefore, it is a fraudulent practice of Ribā, and is considered invalid by the majority of scholars. SECOND: This contract is not permissible in Shariah.

Indeed, Allāh is All-Knowing.

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### Resolution No. 67 (5/7) Medical Treatments

The Council of the International Islamic Fiqh Academy of the Organization of the Islamic Conference, holding its 7th session in Jeddah, Kingdom of Saudi Arabia on 7–12 Dhū al-Qa'dah 1412H (9–14 May 1992), HAVING EXAMINED the research papers submitted to the Academy concerning Medical Treatments, HAVING LISTENED to the discussions on the subject, Resolves

#### I. Medical Treatments

The initial Shariah ruling on medical treatments is their permissibility given its explicit mentions in the Holy Quran and in the verbal and the practical Sunnah, and due to its “preservation of life,” which is one of the universal objectives of Shariah. Rulings on medical treatments differ depending on the different situations and individuals, as follows:

- It is obligatory if foregoing it may result in the person's self-destruction, an organ's loss or a disability, or if the disease may spread to others as in the case of contagious diseases
- It is desirable if foregoing it may weaken the body without causing the consequences mentioned in the first case above.
- It is permissible if not mentioned by the two cases above.
- It is undesirable if the action to be taken is risky and may cause serious complications, worse than the disease to be cured.

#### II. Treatment of Hopeless Cases

A. One of the principles of the Islamic faith is that illness and cure are in the hands of the Almighty Allāh, and that medical care and treatment are a way of adopting the means provided by Allāh the Almighty in the universe. It is not permissible to despair of Allāh's mercy but necessary to maintain the hope of healing by Allāh's will. Doctors and the patient's relatives should raise the patient's morale, continue to look after him, and alleviate his psychological and physical sufferings regardless of the chances or lack of recovery.

B. The concept of a clinically hopeless cases depends on the physicians' assessment, the medical capacities at any given time and place, and the patient's circumstances.

#### III. Patient's Consent

A. The patient's consent for the treatment is conditional if the patient is in full legal capacity to give it. If he is not, the permission of his or her legal guardian shall be sought according to the order of guardianship in Shariah, and in conformity with its provisions which limit the scope of the guardian's action to the benefit and interest of the person under guardianship as well as to eliminating harm from him or her.

If the guardian, however, does not to give consent, his decision shall not be taken into consideration if it is clearly detrimental to the person under guardianship. The right to giving consent shall then be transferred to the next guardian and ultimately to the authorities.

B. Authorities have the right to oblige medical treatments when deemed appropriate as in case of contagious

diseases and preventive vaccinations.

C. When the victim's life is in danger as in emergency cases, medical treatment shall not depend on consent.

D. While conducting medical research, it is necessary to obtain the subject's consent if he or she is fully competent so as to avoid coercion (as in the case of prisoners) and financial enrichment (as in the case of the needy persons). Furthermore, the research to be undertaken must not involve any harm.

It is not permissible to conduct medical research on incapacitated or diminished persons, even with the consent of their guardians.

Recommendations

The Academy shall call for research submissions on the following medical issues for consideration at its upcoming sessions:

- Treatment with prohibited and impure materials and criteria for use of medicines.
- Aesthetic treatment.
- Doctor liability.
- Treatment of Women by a Male Doctor, and vice-versa, and the treatment of Muslims by a non-Muslim doctor.
- Treatment with Ruqya (spiritual healing based on the Quran and Sunnah).
- Doctor's code of ethics (to be discussed in several sessions if necessary).
- Influx of patients into treatment and their order of priority.
- Researching certain types of diseases that typically result in doctors' inability or reluctance to provide treatment. Examples may include:
  - A person with full body cancer. Should he be treated or just given painkillers and tranquilizers?
  - A child with severe hydrocephalic (cerebral death) accompanied by certain types of paralysis and his brain is atrophied (certain areas of the brain are still working). Should such a child be operated on? If the child has appendicitis or pneumonia, should he be treated or left untreated?
  - An elderly, decrepit man who has had a thrombosis, and with some sort of paralysis, he then has kidney failure. Should kidney failure be treated with dialysis? If he has a sudden cardiac arrest, should an attempt be made to rescue him, or should he be left untreated? If he has pneumonia, should he be treated or left untreated?
  - A person with severe brain injuries but with some parts of the brain still functioning (not included in the definition of brain death) and is in a coma and there is no hope of improvement. If such a person goes into a cardiac arrest, should he be rescued or left untreated? If that person has pneumonia, should he or she be treated? Who

decides to discontinue treatment in such cases, is it a panel of doctors, or an ethics committee, or the doctors with the patient's relatives?

Statements of the positions of Shariah and Sunnah towards these cases and categories. Indeed, Allāh is the Giver of success.

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## Resolution No. 68 (6/7) International Rights: An Islamic Perspective

The Council of the International Islamic Fiqh Academy of the Organization of the Islamic Conference, holding its 7th session in Jeddah, Kingdom of Saudi Arabia on 7–12 Dhū al-Qa'dah 1412H (9–14 May 1992), HAVING EXAMINED the research papers submitted to the Academy concerning International Rights: An Islamic Perspective, HAVING COMMENDED the efforts of the research papers presented and reviewed on the aforementioned topic, the Council deemed that the subject is so important and broad that it requires additional research and studies on multiple aspects, HAVING LISTENED to the discussions on the subject, Resolves

FIRST: Establish a preparatory committee to draft a working paper for a specialized symposium to discuss the subject above in details and develop a draft declaration of international rights in Islam, which will be submitted to the Council at its next session.

SECOND: The themes of the working paper shall be as follows:

1. The sources of Islamic international law and international relations being the Quran, Sunnah, and practical applications under the rightly-guided Caliphs, in addition to taking into consideration Ijtihād (interpretative judgments) made by Fuqahā on the subject.
2. The purposes and general characteristics of Shariah which have a practical impact on all attitudes:
  - a. Objectives of Shariah
  - b. General characteristics
3. The concept of the Ummah and its unity in Islam.
4. Legal opinions of different schools of law (madahib) regarding territorial divisions.
5. Historical roots of the prevailing situation in the Muslim world.

6. Internal relations within the Islamic State (peoples and minorities).
  7. Relations of the Islamic State with other States.
  8. Position of the Islamic State regarding international conventions, treaties and organizations.
- THIRD: The preparatory committee shall prepare explanatory documents to guide researchers through the details of these topics, provided that this will be undertaken in the coming months. Indeed, Allāh is the Giver of success.

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## Resolution No. 69 (7/7) Recommendations of the Seventh Session regarding Intellectual Imperialism

The Council of the International Islamic Fiqh Academy of the Organization of the Islamic Conference, holding its 7th session in Jeddah, Kingdom of Saudi Arabia on 7–12 Dhū al-Qa'dah 1412H (9–14 May 1992), HAVING EXAMINED the research papers submitted to the Academy concerning Intellectual Imperialism, explaining the background, dangers and dimensions of intellectual imperialism and its impact on Arab and Muslim world, HENCE, the research papers presented examples of the ambiguities and contestations that intellectual imperialism has provoked and the schemes and practices it carried out to destabilize Muslim society and subvert Dawah (Call to Islam). The research papers explained Islam's role in preserving the Ummah and its firm stance against this imperialism, and how Islam overturned many of its schemes and plots. They also focused on ways to confront such imperialism and protect the Ummah from its effects in all fields and at all levels. HAVING LISTENED to the discussions on the subject above, Recommendations

FIRST: Work towards implementing Shariah and adopting it as a strategic approach in our political relations at the local and global levels.

SECOND: Ensure the purification and promotion of educational methods and curricula to upbring the present generations based on Islamic principles and provide them with the proper training that would increase their knowledge and attachment to Islam and immunize them against all forms of cultural imperialism.

THIRD: Develop the training curricula for preachers to make them understand the true spirit of Islam and its approach to human life and society, in addition to enlightening them on modern culture so that their interactions with contemporary societies are fully aware and informed.

FOURTH: Give Mosques their comprehensive educational role in Muslims' life to enable them to cope with all forms and effects of cultural imperialism and have a complete and authentic knowledge of their religion.

FIFTH: Refute ambiguities spread by the enemies of Islam using sound scientific methods to build confidence among the believers regarding the magnificence of our religion without resorting to weak defensive methods.

SIXTH: Give due importance to studying foreign ideas and borrowed principles and identify their shortcomings and deficiencies with scientific honesty and objectivity.

SEVENTH: Give due attention to Islamic awakening and give support to the institutions working in the various fields of Dawah and Islamic action to build the upright Islamic personality that presents to human society a shining practical example of Islamic teachings at individual and collective levels and in all fields of political, social, cultural and economic life.

EIGHTH: Give due attention to the Arabic language, its promotion, and its teaching worldwide, considering that it is the language of the Holy Quran, and to promote it as the teaching medium at the schools, institutes and universities in Arab and Muslim countries.

NINTH: Emphasize on highlighting Islam's tolerance, which has come for the goodness and happiness of mankind in this world and in the hereafter, through all living languages.

TENTH: Benefit efficiently and seriously from contemporary means and methods of communication to convey the words of truth and wisdom to all parts of the world without neglecting any other possible means.

ELEVENTH: Give due importance to resolve contemporary issues with Islamic solutions and translate these solutions into practical execution and sustained application since the successful application is the most effective means of Dawah and discourse.

TWELFTH: Work on emphasizing the manifestations of Muslim unity and

complementary in all aspects and to resolve their differences and conflicts through peaceful means in conformity with the well-known Shariah provisions in this regard, thereby thwarting the plots of cultural imperialism aimed at breaking up the unity of Muslims and sowing discords and disputes among them.

THIRTEENTH: Work on strengthening Muslim powers and self-sufficiency, both economically and militarily.

FOURTEENTH: Appeal to Arab and Muslim states to support Muslims who are subjected to oppression in various parts of the world, to support their causes and to repel aggression against them by all available means.

#### Recommendation

The Academy shall continue to raise related issues at future meetings and symposia of the Academy, given the critical importance of intellectual imperialism and the need to establish an integrated strategy to confront its manifestations and developments. This strategy could begin with the issues of christianization and orientalism in the next session.

Indeed, Allah is the Giver of success.

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## IIFA Endorses Saudi Council of Senior Scholars' Statement Condemning Unauthorized Hajj



Praise be to Allah, the Almighty, Who ordained ability as a prerequisite for performing Hajj through His wise words, “And performing the Hajj (pilgrimage) of this house, for the sake of Allah, is a duty upon mankind, for those who can reach it; and whoever disbelieves – then Allah is Independent of the entire creation!” (Aal Imrān 03:97). Allah’s Final Prophet and Messenger (SAW) also said, as reported by Al-Bukhārī and Muslim on the authority of Abu Huraira (RA), “Whoever performs the Hajj to this house, without having intimate relations or committing sin, he will return pure of sin like the day he was born from his mother” (No. 1819, No.1350). After reviewing the statement released by the Council of Senior Scholars of the Kingdom of Saudi Arabia on 17 Shawal 1445 (26 April 2024) concerning the requirement for Hajj pilgrims to obtain a permit, and considering its role as the foremost religious authority for OIC Member states and Muslim communities worldwide, the International Islamic Fiqh Academy (IIFA) declares the following:

- Commends and endorses the statement of the Council of Senior Scholars for its wisdom, strength, and alignment

with Sharia’s teachings and texts.

- Assures Muslims globally that this noble declaration is based on Sharia and supported by fundamental principles of Fiqh, which emphasize preventing harm, avoiding harm before bringing benefit, enduring lesser harm to prevent greater harm, considering the short and long-term consequences of actions, and the obligation to respect authorities in what is good.
- Emphasizes the preservation of the five essential elements: life, faith, progeny, property, and mind, which Sharia aims to protect from harm, as clearly demonstrated by the negative consequences and risks of performing Hajj without a permit. Based on the above, the IIFA, with the unified voice of its members and experts representing the Ummah’s scholars from various countries and regions, expresses full support for the Council of Senior Scholars’ statement concerning Hajj without a permit. It calls on all Muslims to abide by this decree, emphasizing the prohibition on traveling to and performing Hajj without obtaining an official permit from the relevant authorities. It particularly urges media, digital platforms, imams, preachers, and scholars to support

and disseminate this important statement, encouraging Muslims to uphold it and highlighting the sinfulness of such actions. On behalf of the Ummah’s scholars and academics, the IIFA extends its heartfelt gratitude to the Kingdom of Saudi Arabia, its leadership, and its people for their dedicated stewardship of the Two Holy Mosques and their unwavering commitment to serving pilgrims and visitors. We pray to Allah the Most High for continued safety, stability, prosperity, and comfort for the Kingdom of Saudi Arabia and its people, protecting them from harm, for He is the Guardian and Capable of it. Our final supplication is that all praise and thanks are due to Allah, Lord of the worlds. On behalf of the Council of the International Islamic Fiqh Academy,

Prof. Koutoub Moustapha Sano  
 Secretary General  
 International Islamic Fiqh Academy

Thursday, 23 Shawwal 1445 – 02 May 2024

Jeddah, Kingdom of Saudi Arabia

## S.G. Calls for Enhanced Collaboration between IIFA and MWL Fiqh Council



At the gracious invitation of H.E. Sheikh Abdulaziz bin Abdullah Aal-Sheikh, Grand Mufti of Saudi Arabia, President of the Council of Senior Scholars, and the Islamic Fiqh Council of the Muslim World League (MWL), H.E. Prof. Koutoub Moustapha Sano, Secretary General of the Academy and member of the Islamic Fiqh Council, participated in the 23rd Session of MWL's Islamic Fiqh Council, held on 11-13 Shawal 1445 (20-22 April 2024) in Riyadh, Saudi Arabia. In his opening remarks, Prof. Sano expressed his gratitude to the Saudi leadership and citizens for their unwavering support of the MWL, the largest popular organization in the Muslim world. He extended his appreciation to H.E. Sheikh Dr. Mohammed bin Abdulkarim Al-Issa, Secretary General of the MWL, for his dedicated efforts and commitment to strengthening the cooperation and partnership between IIFA and MWL's Islamic Fiqh Council, acknowledging the significant accomplishments of the MWL under Dr. Al-Issa's leadership. Prof. Sano reminisced about parts of the historic address delivered by the late Custodian of the Two Holy Mosques, King Fahd bin Abdulaziz Al Saud, at the founding conference of the IIFA on 26-28 Sha'ban 1403 (7-9 July 1983): "I greet you with the greetings of Islam, al-Salam Alaykum wa-rahmatu Allah wa barakatuh. May Allah's peace, mercy, and blessings be upon you.

I welcome you to this generous country, the birthplace of Islam and the Qibla of Muslims. I pray Allah directs your steps and grants you success. Your meeting marks the beginning of an important historical stage for our Islamic Ummah, transcending individual and regional efforts through a global organization that embodies the unity of the Ummah. Teamwork is essential for the Ummah's success and ability to meet challenges. Indicators show that the Islamic Ummah is on the path of correcting its historical course and returning to faith in solidarity. This Third Islamic Summit Conference, held near the Kaaba, includes the historic decision by Muslim world leaders to establish the IIFA, marking a significant step for our Ummah towards achieving its aspirations for glory and strength. Islam is a religion that addresses reason, opposes backwardness, encourages freedom of thought, and adapts to modern achievements. It governs social and international relations based on mercy, as Allah the Almighty said: 'And We have sent you only as a mercy to the worlds' (Al-Anbiya, 107). Our Ummah suffers in Palestine, the occupied Arab lands, and Afghanistan under injustice and aggression. The Ummah's weakness results from not adhering to the Qur'an and the Prophet's Sunnah, which enemies of Islam exploit to deviate Muslims from their faith. The call for the first Islamic

conference more than half a century ago aimed to discuss the Ummah's situation and find solutions for its welfare. This led to the establishment of the Organization of the Islamic Conference, instilling pride in every Muslim for their religion and cultural heritage. The need for Islamic solutions to contemporary problems is vital. Our faith provides global solutions and the strength to achieve and protect them. We hope Islamic thought will progress based on divine wisdom. Divisions among Muslims have prevented scholars from addressing life's severe problems with a unanimous opinion. Today, numerous events and issues demand urgent, collective scholarly efforts. The establishment of a fiqh academy is a necessity to provide authentic Islamic answers to contemporary challenges, ensuring mankind's happiness and adherence to Shariah. We know the task is challenging and the responsibility great, but the hopes placed in you are greater. So, proceed with Allah's blessings, trust in Him, and rely on His help." Prof. Sano highlighted that the IIFA and MWL Fiqh Council complement and support each other, emphasizing the importance of cooperation and integration in addressing contemporary issues. He expressed optimism for closer collaboration and coordination on matters affecting Muslims globally and for the implementation of the agreement signed by both councils in Ramadan in Makkah Al-Mukarramah.



## Secretary General Participates in AAOIFI's 22nd Sharia Boards Conference



H.E. Prof. Koutoub Moustapha Sano, Secretary General of the International Islamic Fiqh Academy (IIFA), participated in a panel discussion titled “The Need for International Standards in the Halal Industry” at AAOIFI’s 22nd Annual Sharia Boards Conference in Manama, Bahrain, on Monday, 22 Shawal 1445 (29 April 2024). During the discussion, Prof. Sano emphasized the crucial role of Sharia Councils and Boards in financial institutions in establishing standards across the Muslim world. He highlighted the urgent need for cooperation and coordination among scholars to address the intellectual crisis and knowledge dispersion caused by conflicting fatwas and opinions on important issues. Prof. Sano underscored the importance of identifying infrastructure institutions for Islamic finance and the halal industry, pointing to the Standards and Metrology Institute for Islamic Countries (SMIIC) as a key organization in this field. He noted that SMIIC, much like AAOIFI, sets standards and criteria for the halal industry, and was established following a recommendation from the IIFA during its 10th session. This session had emphasized the need for a unified Islamic approach to the halal industry. He called for robust support for SMIIC to elevate its status to that of AAOIFI, which issues standards based on collective Ijtihad. Prof. Sano urged Islamic scholars and

institutions to refer to these standards, refined through extensive efforts, and to avoid individual Ijtihad on public matters, which should be addressed by specialized collective Ijtihad. Public matters, known as “nawazil” or contemporary issues, require collective scholarly efforts due to their widespread impact on Muslims. Prof. Sano argued that collective Ijtihad is more reliable and safer than individual Ijtihad, which may lack comprehensive understanding of complex issues. He explained that the establishment of SMIIC aimed to keep pace with developments in food, beverages, and clothing, just as AAOIFI does in Islamic finance and banking. He also spoke about the Makkah Conference on the Halal Industry, highlighting its economic significance and the unique sovereign, legal, and procedural dimensions it entails. He called for collaboration among Muslims and scholars

to promote the Islamic economy, especially the halal industry and Islamic finance and banking. Prof. Sano praised Saudi Arabia’s leadership of SMIIC’s Board of Trustees and Directors and its commitment to SMIIC’s standards. He urged all Muslim countries to adhere to these standards, particularly regarding meat, medicine, clothing, food, and beverages. He encouraged scholars who have differing views on SMIIC or AAOIFI standards to communicate their observations to the respective Sharia Councils, rather than using social media to create discord, which can negatively impact the perception of Islam and Muslims. Concluding his speech, Prof. Sano expressed hope that SMIIC would benefit from AAOIFI’s successful model and experiences. He called on everyone to contribute their views and support to enhance these institutions’ capabilities and effectiveness.



## Secretary General Lectures on Maqasid of Islamic Economics in Kuala Lumpur



At the invitation of Malaysia's Securities Commission, His Excellency Professor Emeritus Dato Dr. Koutoub Moustapha Sano, Secretary General of the Academy, OIC, delivered a lecture on the Maqasid Shariah in Islamic Economics at the 2nd Nadwa (seminar) for Shariah Advisors of Malaysia's Islamic Banks and Financial Institutions. The event took place on Thursday, 10 Shawal 1445 (25 April 2024), at the Securities Commission in Kuala Lumpur, Malaysia. Prof. Sano began by expressing his gratitude to the Securities Commission, particularly Dr. Azrul Azlan Iskandar Mirza, Deputy Director and Head of Shariah Department, ICM, SC, for inviting him to this important seminar, which serves as a scientific forum for Shariah advisors in emerging Islamic financial institutions. He praised the choice of topic, emphasizing the urgent need to enhance awareness and understanding of Maqasid Shariah to advance the Islamic economy, particularly in the securities sector. He explained that the Islamic economy is a part of Islamic jurisprudence, specifically under financial transactions, and has unique purposes derived from the overarching goal of preserving wealth, a fundamental interest, and purpose of Islamic law. He stressed that addressing the devastating effects of contemporary global economic crises depends on a deep understanding of Maqasid of wealth, which provides a framework for effective solutions. Prof. Sano called on jurists, scholars,

and policymakers to explore solutions based on these Maqasids, noting that the Islamic economy aims to meet both individual and communal material needs. Prof. Sano discussed the key Maqasid in Islamic economics, as identified by Imam Muhammad al-Tahir Ibn Ashur, the modern founder of the field. These Maqasid include the promotion of wealth, clarity, conservation, justice, and stability. He explained that these objectives underpin the regulations of contracts and transactions, guiding the wisdom behind prohibiting certain practices that harm wealth growth and distribution. He outlined how preserving wealth prohibits hoarding, monopolies, favoritism, and corruption; preserving justice prohibits *riba* (usury), bribery, forgery, exploitation, cheating, and deception; preserving clarity prohibits the sale of *gharar* (uncertainty)

and ignorance-based transactions; and preserving stability supports contracts that achieve sustainability and comprehensive welfare. These principles are based on the Islamic view that wealth belongs to Allah, with humans as its trustees, responsible for managing it according to divine legislation. Prof. Sano urged Shariah supervisors and advisors to use the Maqasid of financial transactions as a framework for guiding discourse and decision-making on financial matters. He called for these objectives to be the criterion for choosing between different jurisprudential opinions, especially when dealing with new financial challenges. He emphasized the need for more serious and in-depth scientific studies to uncover the Maqasid of Islamic economics and hoped for their application in contemporary financial practices. In conclusion, Prof. Sano answered participants' questions, including a discussion on Imam Ibn Ashur's consideration of the preservation of wealth as a Maqasid related to financial transactions. He suggested that achieving comprehensive welfare could be considered an additional purpose alongside the traditional four Maqasid of Shariah. Prof. Sano reiterated his hope that Shariah advisors and supervisors would activate these clear objectives when making *ijtihad* on new contracts and transactions, to help combat poverty, reduce social disparities, and achieve social justice and comprehensive well-being.





## Secretary General Holds Closed-Door Discourse with Malaysian Shariah Advisers

H.E. Prof. Koutoub Moustapha Sano, Secretary General of the International Islamic Fiqh Academy, OIC, conducted a closed scientific meeting with Shariah Advisers of Islamic banks and financial institutions in Kuala Lumpur, Malaysia. This session took place on Friday, 11 Shawal 1445 (26 April 2024), at the Securities Commission in Kuala Lumpur, Malaysia. Prof. Sano began by



expressing his gratitude to the Securities Commission for facilitating this meeting with the Shariah supervisors to discuss significant and emerging issues in Shariah supervision and consultancy within Islamic banks and financial institutions. He commended the Central Bank of Malaysia for its coordinating and



organizational role in this field. Notably, he praised a historic decision made by the Central Bank about twenty years ago, which prohibited individuals from serving as Sharia supervisors in multiple banks or financial institutions simultaneously. This decision had a significant impact, allowing more qualified Sharia scholars to join supervisory boards and attracting a new generation of young scholars to Islamic economics. Prof. Sano emphasized the need for coordination and communication among Shariah boards and committees to avoid contradictions and inconsistencies in fatwas and Islamic jurisprudence. He suggested creating a forum, club, or syndicate for Shariah boards and committees, similar to unions for doctors and engineers, to enhance coordination. During the meeting, he addressed several

questions and analyzed the contentious issue of the sale of debt, a major point of disagreement between Islamic banks and financial institutions in Malaysia and the rest of the Muslim world. He noted that the Academy has issued resolutions on some forms of selling debt, while other forms remain unresolved. He called for periodic revisions of fatwas to account for developments and changes in modern financial contracts and transactions. Prof. Sano concluded the session by expressing his pleasure at the enthusiasm of Malaysian youth for Islamic economics and Islamic banking and finance. He highlighted their eagerness to learn from global expertise, which bodes well for the future of Islamic economics. He ended with a prayer for their success and guidance.



## Singaporean Students from Islamic University of Madinah Visit IIFA in Jeddah



On Thursday, 23 Shawal 1445 (02 May 2024), a delegation of Singaporean students from the Islamic University of Madinah visited the International Islamic Fiqh Academy in Jeddah. The delegation was led by Mr. Amrullah Mohamed Zain, Vice Consul at the Consulate of Singapore, and the Student Affairs Officer. Upon their arrival at the Academy's headquarters, they were welcomed by Dr. Abdulqahir Qamar, Director of the Research, Encyclopedias, and Dictionaries Department at the Academy. Mr. Amrullah Mohamed Zain

expressed the delegation's happiness in visiting the Academy and thanked the Secretariat General for the warm welcome. He noted that the visit was a result of the recent visit by the Secretary General of the Academy to Singapore, during which various programs and activities were discussed, including the signing of a memorandum of cooperation between the Academy and Singapore's Islamic Council. This visit aimed to introduce Singaporean students to the Academy's structure, activities, and publications as part of ongoing cooperation in areas of mutual interest. Dr. Abdulqahir Qamar welcomed the guests on behalf of the Secretary General, H.E. Prof. Koutoub Moustapha Sano, and provided an overview of the Academy's vision, objectives, and mission. He highlighted the Academy's role as

the leading reference for OIC member states in researching Sharia rulings on issues pertinent to Muslims globally. He encouraged the students to be advocates of authentic Islam upon their return to Singapore. The meeting was also attended by Dr. Abdulfatah Abnaouf, Director of the Planning and International Cooperation Department, Dr. Ismail Cebeci, Head of the Glossaries and Encyclopedias Division, and Dr. Mohamed El-Amin Silla, Head of the Research and Studies Division.



## 18th Joint Meeting of Departments and Divisions

H.E. Prof. Koutoub Moustapha Sano, Secretary General of the Academy, chaired the 18th joint meeting of the Academy's departments and divisions on Tuesday, 14 Shawal 1445 (23 April 2024), via videoconference from Riyadh. His Excellency opened the meeting by welcoming the attendees and thanking them for their participation. He emphasized the importance of completing the tasks assigned to them, particularly those related to organizing the 26th session of the Academy. He also shared insights from his participation in the 23rd session of the Islamic Fiqh Council of



the Muslim World League, which lasted three days and was chaired by the Grand Mufti of Saudi Arabia, featuring senior scholars from the Ummah. His Excellency praised the efforts of the Islamic Fiqh Council of the Muslim World League, drawing parallels to the work of the

International Islamic Fiqh Academy. The meeting reviewed previous decisions and made new resolutions, including:

- Ensuring research papers comply with IIFA's standards and criteria.
- Creating a folder for each researcher containing the letter of reservation, an updated passport photo, and additional information.
- Including MWL's Makkah Document, the Declaration for Building Bridges Between Islamic Schools of Law, and the Women in Islam Declaration issued by the OIC in the IIFA session's agenda in Qatar.

## 40th Monthly Meeting of the Academy's Personnel

H.E. Prof. Koutoub Moustapha Sano, Secretary General of the Academy, chaired the 40th monthly meeting of the Academy's personnel at the Secretariat General's headquarters in Jeddah on Sunday, 06 Dhul Quida 1445 (14 May 2024). He began by welcoming the attendees and expressing gratitude for their condolences on the passing of his elder brother during a medical trip in Thailand, offering prayers for mercy and forgiveness. His Excellency then discussed his participation in the 15th Islamic Summit in Banjul, Gambia, along with other meetings and activities on the conference's sidelines, including his discussions with the Minister of Foreign

Affairs and International Cooperation and the Gambian Diaspora, and delivering lectures at the National University and the Supreme Islamic Council in The Gambia. He also highlighted the cooperation agreements signed with Gambia's National University and Supreme Islamic Council. His Excellency invited the Academy's employees to share their opinions and observations on work progress, attentively listening to their comments and suggestions. The meeting reviewed previous decisions and made new ones, including:

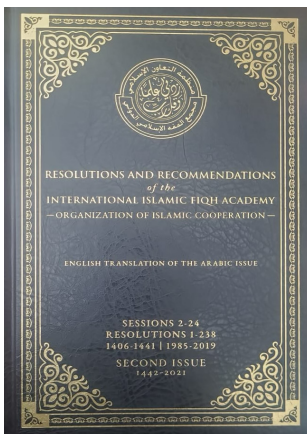
- Purchasing a new camera for the Head of the Protocol Division, three office chairs for employees in



need, and three paper shredders after reviewing offers from different suppliers.

- Acquiring a new high-performance computer for the Head of the Printing Division.
- Regularly updating and completing passport data for session participants in Excel, with reminders sent to those whose passports are expired or incomplete.

## A Brief Introduction to the Resolutions and Recommendations of the Academy



For four decades, the Council of the International Academy of Islamic Fiqh has consistently issued clear, effective, and persuasive resolutions based on Sharia to address contemporary questions and developments affecting Muslims worldwide. The Academy Council has produced a total of 260 resolutions, covering intellectual, educational, medical, social, economic, political, and halal matters.

By Allah's grace, these resolutions have become authoritative scientific references for numerous countries, companies, and individuals. They have also served as fatwas that laid the foundation for modern Islamic financial applications and transactions.

Many Sharia courts, health organizations, and educational institutions around the world refer to them, recognizing them as solid scientific foundations and Sharia standards endorsed by jurists, experts, and intellectuals of the Ummah.

The General Secretariat of the Academy has decided to dedicate the final pages of its monthly bulletin to the sequential publication of these resolutions, emphasizing their rigorous content and fundamental importance. We pray to Allah the Most High to reward the honorable scholars and experts who contributed to their creation and dissemination. May Allah make their contributions a lasting legacy beneficial to humanity forever.





In the Name of Allāh,  
the Entirely Merciful, the Especially Merciful  
Praise is due to Allāh, Lord of the worlds, may  
the blessings and peace be upon our master  
Muḥammad, the last of prophets, on his family,  
and all his companions.

## Resolution No. 70 (1/8) Exemption and its Ruling

The Council of the International Islamic Fiqh Academy of the Organization of the Islamic Conference, holding its 8th session in Bandar Seri Begawan, Brunei Darussalam, on 1–7 Muḥarram 1414h (21–27 June 1993), Having examined the research papers submitted to the Academy concerning Exemption and its Ruling, Having listened to the discussions on the subject above,  
Resolves

1. A Shariah (legal) exemption is any Shariah provision exempted for a particular excuse to alleviate the ordained duties while maintaining the cause for the original Shariah ruling. There is no disagreement on the lawfulness of religious exemptions provided they are duly justified, remain within the limits of their applicability, and due regard is given to Shariah regulations on which these exemptions are based.

2. Fiqh (jurisprudential) exemptions mean the various interpretive judgments (Ijtihād) of different schools of law (madhāhib) permitting a certain matter as opposed to other interpretive judgments prohibiting it. Availing of fuqahā's exemptions, in applying the less restrictive of their opinions, is legitimate according to Shariah, by virtue of the rules listed in article 4 below.

3. Exemptions from general matters are handled on a par with fundamental Fiqh issues as long as they fulfill a benefit recognized by Shariah and are the result of a collective Ijtihād undertaken by competent scholars renowned for their piety and scientific

4. It is not permissible to take exemptions allowed by certain schools of law, solely on the basis of a person's desire, as this would lead to the abandonment of ordained

duties. Rather, exemptions are to be taken in accordance with the following Shariah rules:

1. Scholars' legal opinions evoked for exemption are acknowledged by Shariah and have not been described as aberrant opinions.

1. The need for exemption arises to repel hardship, whether for common, private or individual needs.

2. The exempted person being capable of decision-making or is relying in the exempted matter on a party acknowledged for this aptitude.

3. Availing the exemption should not result in any of the prohibited deceptions as listed in article 6

4. Availing the exemption should not be used as a pretext to achieve unlawful goals.

5. The exempted person shall feel at ease when taking the

5. The parallel of using deception by drawing on different schools of law occurs when the emulator approaches a single matter with a two or more ramifications in a way that is not addressed by the mujtahid scholars he emulates in that particular issue.

6. Talfiq (amalgamation) is forbidden in the following cases:

1. If it leads to free access to the exemption based solely on a person's desire, or to contravening any of the rules as indicated regarding access to exemption.

2. If it leads to overturning a judicial

3. If it leads to invalidating an act once applied, as an emulation of a single issue.

4. If it leads to opposing a legal consensus or its implications.

5. If it leads to a complex situation not approved by any mujtahid

Indeed, Allāh is All-Knowing.

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## Resolution No. 71 (2/8) Traffic Accidents

The Council of the International Islamic Fiqh Academy of the Organization of the Islamic Conference, holding its 8th session in Bandar Seri Begawan, Brunei Darussalam, on 1–7 Muḥarram 1414h (21–27 June 1993), Having examined the research papers submitted to the Academy concerning Traffic Accidents, Having listened to the discussions on the subject, Having witnessed the increasing

traffic accidents and their escalating dangers to human life and belongings, Having considered that the preservation of public interests requires the implementation of traffic rules, including the authorization of vehicles on the basis of their safety measures such as safety equipment, ownership transfer rules, in addition to sufficient precautions related to the issuance of driving license under conditions such as age, fitness, eyesight, knowledge of and compliance with traffic rules, speed and load limits,

Resolves

First:

1. Complying with these regulations that are not contrary to the rules of Shariah is a duty prescribed by Shariah as it falls within the purview of obeying the ruler (government) in the provisions he makes for the public. These regulations should also include the provisions of Shariah that have not been applied so far in this field.

2. Public interest also calls for the promulgation of different types of punitive measures, including financial penalties as may be determined for anyone who violates traffic rules in order to prevent those who, through their possession of vehicles or other means of transport, endanger people's lives on the road or in public places, taking into consideration the prescribed rules of Hisba (accountability). Second: Accidents resulting from the use of vehicles are subject to the same felony rules defined in Shariah, even though in most cases they are the result of

inadvertence – the driver is liable for whatever damages he may cause to others whether physical or financial, as long as the error and damages are established. He is only exempt, except in the following cases:

1. If the accident is the result of a force majeure which he could not anticipate or This includes all matters outside human interference.

2. If the accident is caused by the victim who has largely contributed to the

3. If the accident is due to an error or a transgression committed by a third party, in which case, the latter is held

Third: In case of road accidents caused by animals, the animal's owner shall cover the damages if he has neglected keeping them under control. The final verdict in such cases rests with the judiciary.

Fourth: If the driver and the victim are equally

liable for causing the damages, then each will be liable for the other's damages, both physical and financial.

Fifth:

1. With due consideration to the details below, initially, the party active in the accident shall cover damages, even though he or she may not be in transgression, whereas the passive party shall only cover damages in case of transgression or excess.

2. If the active and passive parties are both involved, liability shall be incurred by the active party alone unless the passive party is in transgression and the active one not.

3. If the accident is the result of two different causes, each contributing to the damages, then each party shall bear a share of liability proportionate to his or her contribution to the accident. However, if their contribution to the accident is equal or unclear, the parties shall bear equal liability.

Indeed, Allāh is All-Knowing.

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### Resolution No. 72 (3/8) Bay Urbun (Down Payment Sale)

The Council of the International Islamic Fiqh Academy of the Organization of the Islamic Conference, holding its 8th session in Bandar Seri Begawan, Brunei Darussalam, on 1–7 Muḥarram 1414h (21–27 June 1993), Having examined the research papers submitted to the Academy concerning Bay Urbun (Down Payment Sale), Having listened to the discussions on the subject above,

Resolves

1. Down-payment (earnest) sale means the sale of a commodity with the buyer making a down-payment to the seller on the understanding that if he took the commodity the down-payment would be deducted from the selling price, and if he dropped it then the down-payment would be the seller's

It is subject to the same rulings as in service contracts for it is considered as the sale of a service. Exceptions are made in the case of sales whose validity is made subject to the reception of either of the exchange's two elements (as in Bay Salam), and in the case of sales whose validity is subject to the spot reception of the exchange's two elements (as in trades including usury money or currency exchange). However, it does not apply to the case of Murābahah to the purchase orderer at the stage of mutual promises, it is rather done at the stage of selling subsequent to the contract.

2. Down-payment sales are permissible if the time frame of the contract is set, and the down payment is considered part of the selling price if the purchase is carried out, and it shall be a right property to the seller if the buyer

Indeed, Allāh is All-Knowing.

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### Resolution No. 73 (4/8) Auction Contracts

The Council of the International Islamic Fiqh Academy of the Organization of the Islamic Conference, holding its 8th session in Bandar Seri Begawan, Brunei Darussalam, on 1–7 Muḥarram 1414h (21–27 June 1993), Having examined the research papers submitted to the Academy concerning Auction Contracts, Having listened to the discussions on the subject,

Having considered that auction contracts are a common practice today and, in some cases, have involved certain infractions which have made it necessary to regulate its application in a way that would preserve the rights of the contract's parties, in compliance with Shariah rulings,

Having noted that that even governments and institutions have approved this type of contract through specific administrative regulations,

Having acknowledged the need to elucidate Shariah rulings regarding this contract,

Resolves

1. An auction contract is an exchange contract involving an invitation by interested parties, verbally or in writing, to participate in the auction. The contract is concluded with the consent of the seller.

2. An auction contract may vary in nature according to its object and ramify into a sale or lease or other types of contract. Accordingly, it may also be optional, such as ordinary auctions amongst individuals, or compulsory such as in the case of auctions dictated by the judiciary. It may be required by public and private institutions as well as governmental entities and individuals.

3. An auction contract's procedures in terms of written documentation, arrangements and administrative and legal terms and conditions must not be in contradiction with Shariah rulings.

4. Requiring a deposit from those wishing to enter the auction sale is permissible in Their deposits must be reinstituted to all the participants who have not been the last bidders.

The deposit is deducted from the selling price for the winning bidder.

5. There is no restriction in Shariah to charging entry fees – value of the schedule of conditions – not exceeding the actual value as it represents a cost thereto.

6. It is permissible for an Islamic financial institution or any other party to initiate investment projects to secure for itself a higher benefit, whether the investor is a party in a Muḍarabah contract with the Bank or not.

7. Najash (shill bidding), which Shariah prohibits, may include the following practices:

1. Someone with no intention to buy, offering higher bids just to entice the buyer into making higher offers.

2. Someone not really intending to buy, pretending to admire the commodity as an expert, and extol its benefits to the buyer, thus affecting a higher price.

3. The owner of the commodity, the agent or the broker, claims falsely that a specific price has been paid for it, so as to mislead the

4. Contemporary forms of Najash, which Shariah prohibits, include the use of the media, whether audio, visual, or in print to attribute unreal characteristics to the commodity, or to increase the price in order to entice the buyer and manipulates him into entering the contract.

Indeed, Allāh is All-Knowing.

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### Resolution No. 74 (5/8) Shariah Applications for the Islamic Market

The Council of the International Islamic Fiqh Academy of the Organization of the Islamic Conference, holding its 8th session in Bandar Seri Begawan, Brunei Darussalam, on 1–7 Muḥarram 1414h (21–27 June 1993),

Having examined the research papers submitted to the Academy concerning Shariah Applications for the Islamic Market, as a continuation to the discussions on Islamic financial markets and securities in the previous sessions, particularly at the seventh session in Jeddah,<sup>17</sup>

Having reviewed the symposia organized by the Academy on the same issues, in order to develop adequate legitimate instruments given that the latter represents mechanisms that can absorb the cash-flow available in Muslim countries and achieve developmental objectives, mutual solidarity, balance and

complementary between Muslim countries, Having listened to the discussions on ways to benefit from the various modes, namely shares, *shukūk* and special contracts, for the full realization of an Islamic market based on Shariah principles,

Resolves

First: Shares

The International Islamic Fiqh Academy issued resolution no. 63 (1/7) on Financial Markets (Shares, Options, Commodities and Currencies), elucidating Shariah rulings applicable to them and the method in which they can be utilized for the realization of the Islamic Financial Market.

Second: *Shukūk*

1. *Muqāraḍah* bonds and Investment Bonds were the subject of the Academy resolution 30 (5/4) on *Muqāraḍah* Bonds.

2. Leasing bonds, or hire-purchase bonds, were the subject of the Academy resolution 44 (6/5). These bonds can therefore play an effective role

• Resolution 63 (1/7).

in the Islamic financial market in terms of benefits.

Third: Salam (Forward Buying Contract)

Since Salam (forward buying) contract covers a wide range in its terms and conditions, it is advantageous for the buyer in investing his surplus funds for profit, as well as the seller in securing adequate commodity prices. The Academy resolution no. 63 (1/7) is thereby reiterated to the effect that a commodity which is subject of a forward contract cannot be sold until it is received. The same resolution states that “a commodity purchased through a Salam (forward buying) contract cannot be sold before it is received.”

Fourth: *Istiṣnāʿ* (Manufacturing Contract)

*Istiṣnāʿ* contracts were subject of the Academy resolution no. 65 (3/7).

Fifth: Bay Ajal (Deferred Sale)

Deferred sale is another mode of investment that facilitates purchasing transactions. It benefits both the purchaser who gets immediate access to the commodity while paying later and the seller who secures higher prices. This results in a broader distribution and availability of commodities for the society.<sup>18</sup>

Sixth: Wad and Muwaʿada (Promise and Mutual Promises)

The Academy issued resolution nos. 40–41 (2–3/5) on promises and mutual promises in *Murābahah* to the purchase orderer.

Recommendation

Calling on researchers, scholars, and economists to prepare studies and research on the topics that have not been discussed in depth, in order to elicit their applicability and draw on them in a Shariah-compatible

way for the benefit of Islamic financial market. These topics include:

1. *Mushārakah* Bonds with all their
2. Formulation of leasing or hire-purchase
3. Compensation for Salam debt, consensus settlement, discount, partnership, discount, reconciliation, etc.
4. Mutual promise in other than *Murābahah* sales, particularly in currency
5. Debt

- Resolutions 51 (2/6) and no. 64 (2/7).
- 1. Sulh (honorable settlement) in the financial market (compensation, ).
- 2.

Indeed, Allāh is the Giver of success.

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## Resolution No. 75 (6/8) Currencies-related Issues

The Council of the International Islamic Fiqh Academy of the Organization of the Islamic Conference, holding its 8th session in Bandar Seri Begawan, Brunei Darussalam, on 1–7 Muḥarram 1414h (21–27 June 1993),

Having examined the research papers submitted to the Academy concerning Currency-related Issues,

Having listened to the discussions on the subject,

Resolves

First: It is permissible that professional statutes, bylaws, and regulations, and employment contracts, which include the definition of remuneration in currency figures, provided these are duly indexed, and that the indexation should not be prejudicial to the national economy.

Indexation in this context means periodic adjustment of salaries in line with the progression of the living cost as may be assessed by experts and competent authorities. Such adjustment aims at protecting the workers' cash payments against any decline in the purchasing power that the wages afford due to currency inflation and any consequent increase in the general cost of commodities and services.

Hence, the primary ruling regarding contracts' conditions is permissibility, except those that permit something prohibited (*ḥarām*) and prohibit something permissible (*ḥalāl*).

In case of overdue salaries, or if they become accumulated debt, they are therefore subject to Shariah rulings applicable to debts as stipulated in the Academy resolution no. 42 (4/5).

Second: It is permissible for the creditor and

debtor to agree on the day of settlement – but not before – to the debt settlement in a currency other than the one specified for the debt, provided the exchange rate applied is that applicable on the settlement date. Similarly, for debts due in installments in a specific currency, it is permissible for the parties to agree on the settlement day of any installment, to have it effected, in full, in a different currency at the prevailing exchange rate on the date of settlement. A conditional requirement in all cases is that no part of the amount subject of the currency exchange should remain outstanding, with due consideration to the Academy resolution no. 50 (1/6) regarding *Qabḍ* (taking possession).

Third: It is permissible for both parties of the contract, at the time of contracting, to agree on the settlement of the deferred cost or salary in a specific currency to be settled in single payment or in several well-defined installments in a variety of currencies or against a given amount of gold. The settlement shall be made in accordance with the agreement, and it is also permissible for it to be made as indicated in the above article.

Fourth: It is not permissible to agree on recording the debt resulted from a specific currency against the debtor in its counter-value in gold or other currencies because such a practice would make it compulsory to the debtor to settle the debt in gold or the other currency, as agreed upon for the settlement.

Fifth: Reiterating the Academy resolution no. 42 (4/5) concerning The Changing Value of Currency (rates fluctuations).

Recommendations

The Secretariat General of the Academy shall assign competent Shariah and economics researchers renowned for their commitment to Islamic thought, to conduct an in-depth study on other issues related to currencies, to be submitted for consideration at future sessions. These issues may include:

1. The possibility of using legal currencies such as the Islamic Dinar, and particularly as regards the Islamic Development Bank's transactions, for the extension and settlement of loans, as well as for the fixation of term-loans to be settled at the equational rate between the legal currency in question and the foreign currency in which the settlement is to be affected, such as US Dollars.

2. Alternative Shariah-based methods for indexing deferred remunerations to the standard average price index.

3. The concept of banknotes stagnation and its effect on defining deferred rights and dues.

4. Inflation thresholds at which banknotes are considered  
Indeed, Allāh is All-Knowing.

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## Resolution No. 76 (7/8) Problems of Islamic Banks

The Council of the International Islamic Fiqh Academy of the Organization of the Islamic Conference, holding its 8th session in Bandar Seri Begawan, Brunei Darussalam, on 1–7 Muḥarram 1414h (21–27 June 1993), Having examined the research papers submitted to the Academy concerning the Problems of Islamic Banks, which contained suggestions for dealing with these problems in their Shariah, technical or administrative aspects, as well as the problems of their relations with other different parties, Having listened to the discussions on these problems.

Resolves

To submit the following list with its four themes to the Secretariat General of the Academy in order to commission experts to present their findings at future sessions, in the order of priority deemed appropriate by the planning division.

Theme I: Deposits and related Issues

1. Guaranteeing investment deposits in ways consistent with Shariah- approved Muḍārabah rules.
  2. Deposit exchange between banks on non-usury basis.
  3. Shariah characterization of deposits and their accounting
  4. Extending credit to a person on condition to use it in dealing with the Bank in general or in a specific activity.
  5. Muḍārabah costs and the party to bear them (Muḍārib or object of Muḍārabah),
  6. Defining the relation between depositors and
  7. Brokerage in Muḍārabah, Ijārah (leasing) and
  8. Defining the Muḍārib in Islamic banking (shareholders, governing board, or executive management).
  9. Islamic alternative for overdraft
  1. Zakāh on Islamic banks' funds and
- Theme II: Murābahah
1. Murābahah in
  2. Postponing ownership registration in Murābahah sales to ensure that the bank's right to settlement remains
  3. Deferred payment Murābahah with delegation of the purchase orderer and considering him as a trustee.

4. Procrastination in the settlement of debts resulting from Murābahah or deferred
  5. Debt
  6. Debt Theme III: Leasing
  1. Re-leasing to the owner of the leased asset or to someone
  2. Letting people's services and sub-letting
  3. Leasing, loaning, or mortgaging shares.
  4. Maintenance of leased
  5. Purchasing a commodity from a person on the condition that he leases it back.
  6. Combining Ijārah and Muḍārabah.
- Theme IV: Contracts

1. Consensual condition to the bank's right to cancellation in case of default in payment of installments.
2. Consensual condition for change in the contract's type in case of default in payment of installments.

Recommendations

First: Islamic Banks should continue their dialogue with the central banks in Muslim countries to enable the Islamic banks to fulfill their mission of investing their clients' funds, in accordance with Shariah principles that governing banking activities and are compatible with their specific nature. Moreover, Central banks should respect the conditions required for the Islamic banks to play their active role in national development, in compliance with the rules of control and with the distinct nature of Islamic banking.

The Organization of the Islamic Conference and the Islamic Development Bank are called upon to resume the meetings of Muslim states' central banks, which would make it possible to implement the requirements of these recommendations.

Second: Islamic Banks should train their managers and staff through adequate professional training appropriate to the nature of Islamic banking and by offering adequate training programs in collaboration with the Islamic Research and Training Institute (IRTI) and other parties concerned with training in Islamic banking.

Third: Give due attention to Salam (forward buying) and Istisna (manufacturing) contracts, as they offer Shariah-compliant alternatives to the conventional modes of productive financing.

Fourth: To the extent possible, the use of Murābahah methods to the purchase orderer should be limited and restricted to instances which fall within the bank's supervision and where there is protection against deviations from Shariah principles governing them.

On the other hand, other modes of investment such as Muḍārabah, Musharaka and leasing

should be developed with due attention to the monitoring and periodic assessment. Beneficial use should be made of the various accepted Muḍārabah instances, which would allow for a clear definition of the Muḍārabah activity and ensure an accurate accounting of the results.

Fifth: Establish a market for commodities exchange among Muslim countries, replacing the international commodities market which is not free from Shariah deviations.

Sixth: Redirect surplus liquidity to serve developmental objectives in the Muslim world, through collaboration among Islamic banks in consolidating joint investment funds and initiating joint projects.

Seventh: Expedite prompt action to find a Shariah-accepted index to be adopted in the determination of profit margins in transactions.

Eighth: Expand the structure underpinning the Islamic financial market through joint action between Islamic banks, in cooperation with the Islamic Development Bank, in order to be more innovative and entrepreneurial in the exchange of Islamic financial instruments in all Muslim countries.

Ninth: Call upon states and relevant parties to establish specific regulations for dealing in Islamic investment modes such as Muḍārabah, Musharaka, Muzara'a, Musaqaṭ, Salam, Istisna, and Ijar.

Tenth: Call upon Islamic banks to establish a database that would provide adequate information on Islamic banks' clients and business men, so as to constitute a reference for Islamic banks and a source on which to promote transactions with reliable parties and avoid those who are not.

Eleventh: Call upon Islamic banks to coordinate the activities of their Shariah Supervisory Boards, either by reactivating the Supreme Shariah Supervisory Authority for Islamic Banks or by establishing a new one, so as to ensure the standardization of the activities of Shariah Boards of Islamic banks. Indeed, Allāh is the Giver of success.

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## Resolution No. 77 (8/8) Shareholding in Joint- Stock Companies Dealing with Ribā

The Council of the International Islamic Fiqh Academy of the Organization of the Islamic Conference, holding its 8th session in Bandar Seri Begawan, Brunei Darussalam, on 1–7 Muḥarram 1414h (21–27 June 1993),



Having reviewed the research papers and recommendations of the Economic Symposium organized by the Academy in collaboration with the Islamic Research and Training Institute (IRTI) of the Islamic Development Bank (IDB), concerning the Shariah ruling on Shareholding in Joint-Stock Companies Dealing with Ribā,  
Having considered the importance of this subject and the need to pursue its study in all aspects, to cover all its details and to elicit all opinions in its regard,

Resolves

The Secretariat General of the Academy shall commission further research on the subject to adopt an appropriate resolution in its regard at its next session.<sup>19</sup>

Indeed, Allāh is the Giver of success.

- Resolutions 63 (1/7) and no. 87 (4/9).

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### Resolution No. 78 (9/8) Credit Cards

The Council of the International Islamic Fiqh Academy of the Organization of the Islamic Conference, holding its 8th session in Bandar Seri Begawan, Brunei Darussalam, on 1–7 Muḥarram 1414h (21–27 June 1993),

Having examined the research papers submitted to the Academy concerning Credit Cards,

Having listened to the discussions on the subject,

Having considered the importance of this subject and the need to pursue its study in all aspects, to cover all its details and to elicit all opinions in its regard,

Resolves

The Secretariat General of the Academy shall commission further research on the subject to adopt an appropriate resolution in its regard at the next session.<sup>20</sup>

Indeed, Allāh is the Giver of success.

Resolutions no. 63 (1/7) and no. 87 (4/9).

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### Resolution No. 79 (10/8) Confidentiality in Medical Professions

The Council of the International Islamic Fiqh Academy of the Organization of the Islamic Conference, holding its 8th session in Bandar Seri Begawan, Brunei Darussalam, on 1–7 Muḥarram 1414h (21–27 June 1993),

Having examined the research papers

submitted to the Academy concerning Confidentiality in Medical Professions,

Having listened to the discussions on the subject,

Resolves

First: A confidential matter is whatever someone tells another with either a prior or subsequent request to keep it secret. This includes matters which are conventionally known to be of confidential nature, including a person's private characteristics or defects that he or she is loath to make public.

Second: A private matter is a confidence in the hands of the person entrusted with it, in accordance with Shariah principles and with the ethics of magnanimity and good conduct.

Third: As a fundamental principle, disclosing secrets is a prohibited matter and disclosing them without a genuine motive warranting it, is reprehensible under Shariah.

Fourth: Confidentiality is even more of a duty for professionals working in fields that are adversely affected by indiscretion, such as medical professions. Such professionals are resorted to for the sake of advice and assistance to people who open up to them and share anything that may help them fulfill their vital tasks properly. This may include information that is kept from everyone, including one's own family.

Fifth: Exceptionally, the duty of confidentiality is not imposed in cases where the retention of secret may entail a damage greater than that which might otherwise be suffered by its patient, or where the disclosure of the secret may lead to a public interest that overweighs in importance the risks of its retention. Such cases are of two categories:

1. Cases where a secret must be broken on the grounds of the principle of committing a lesser evil to avoid a greater one, and the principle of achieving a public interest which requires bearing individual harm to prevent public harm if necessary. These include two categories:

- To protect society against
- To protect an individual against

1. Cases where it is permissible to disclose a secret:

- o To ensure a public
- o To prevent a public

In all these cases, the objectives and priorities defined by Shariah must be respected in terms of the preservation of faith, life, intellect, progeny, and wealth.

Sixth: Exceptional cases regarding the binding nature of confidentiality must be clearly stipulated in the codes of practice of medical and other professions. Such cases must be clearly defined and listed, with full details on how and to whom the secret can be disclosed. Relevant authorities need to familiarize each

and everyone with these cases.

Recommendation

Calling on medical unions, health ministries and medical faculties, to include this subject in their curricula, give it its due importance and familiarize medical workers with the whole issue, as well as to issue relevant resolutions on this subject, and benefit from the research presented thereon.

Indeed, Allāh is the Giver of success.

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### Resolution No. 80 (11/8) Doctor's Ethics: Liabilities and Guarantees

The Council of the International Islamic Fiqh Academy of the Organization of the Islamic Conference, holding its 8th session in Bandar Seri Begawan, Brunei Darussalam, on 1–7 Muḥarram 1414h (21–27 June 1993),  
Having examined the research papers submitted to the Academy concerning Doctor's Ethics: Liabilities and Guarantees,  
Having listened to the discussions on the subject,

Resolves

To postpone the issuance of a resolution on this subject as well as on medical treatment with Shariah prohibited materials, to examine the medical code of practice developed by the Kuwait-based Islamic Organization for Medical Sciences.

Also, to request the Secretariat General of the Academy to commission further research on the said subjects for consideration at a forthcoming session.

Indeed, Allāh is the Giver of success.

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### Resolution No. 81 (12/8) Treatment of a Female Patient by a Male Doctor

The Council of the International Islamic Fiqh Academy of the Organization of the Islamic Conference, holding its 8th session in Bandar Seri Begawan, Brunei Darussalam, on 1–7 Muḥarram 1414h (21–27 June 1993),

Having examined the research papers received by the Academy concerning the Treatment of a Female Patient by a Male Doctor,

Having listened to the discussions on the subject,

Resolves

As a principle, if a female specialist doctor is available, then she should be the one to examine the female patient. In the absence of such a specialist, the female patient may be examined

by a trustworthy non-Muslim woman doctor, if not then by a Muslim male doctor, and if not, then by a non-Muslim male doctor, provided that in diagnosing and treating the ailment, the male doctor should see only the minimum necessary of the patient's body and lower his gaze to the extent possible.

The male doctor's treatment of a female patient should be in the presence of a mahram (eligible blood relative) or a husband or a trustworthy woman, to avoid khalwah (unlawful seclusion of persons of opposite sex).

#### Recommendation

Given the insufficient number of female medical doctors, especially in gynecology and obstetrics, health authorities must make every effort to encourage women to enroll in medical studies and their different specialties, in order to avoid resorting to the rules of exception.

Indeed, Allāh is the Giver of success.

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## Resolution No. 82 (13/8) Acquired Immunodeficiency Syndrome (AIDS)

The Council of the International Islamic Fiqh Academy of the Organization of the Islamic Conference, holding its 8th session in Bandar Seri Begawan, Brunei Darussalam, on 1–7 Muḥarram 1414h (21–27 June 1993), Having examined the research papers submitted to the Academy concerning Acquired Immunodeficiency Syndrome (AIDS),

Having listened to the discussions on the subject which concluded that since committing either of the two execrable sins of adultery and sodomy is the main factor behind sexual diseases, the most dangerous of which is AIDS,

Having considered that combating depravity and guiding the media and tourism constitute important weapons to cure these diseases, Having acknowledged that upholding the teachings of Islam, combating depravity,

reforming the media, banning licentious films and series, and monitoring tourism are undoubtedly essential tools for the prevention of these diseases,

#### Resolves

If one party of the married couple contracts this disease, he/she must inform the other and cooperate with him/her in all protective measures.

#### Recommendations

First: Call on the competent authorities in Muslim States to take all necessary measures to protect against AIDS and punish whoever transmits it intentionally. Also, urging the government of the Kingdom of Saudi Arabia, to continue its intensive efforts to protect foreign pilgrims and take all necessary measures to protect them against AIDS.

Second: Provide AIDS victims with the necessary care; meanwhile, victims and carriers of AIDS must avoid all that could transmit their disease to others. Also, adequate education should be provided to children carrying the disease.

Third: The Secretariat General of the Academy shall commission medical specialists and Fiqh scholars to conduct complementary research on the following subjects for consideration at future sessions.

1. Quarantining AIDS carriers and
2. Employers and their stance towards AIDS

3. Abortion of pregnant AIDS
4. Giving the right to women married to AIDS victims to rescind their marriage contract (faskh).
5. Should contracting AIDS be considered as a terminal disease in terms of the victim's behavior?

6. Implications for AIDS-infected mothers regarding their right to

7. What is the Shariah ruling regarding a person who deliberately transmits AIDS to others?

8. Compensation of AIDS victims infected by blood transfusion, any of its substances, or by organ transplantation.

9. Undertaking premarital medical tests to avoid the risk of contagious diseases, namely

Indeed, Allāh is All-Knowing.

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## Resolution No. 83 (14/8) Organizing Research Submissions and Discussions at the Academy's Sessions

The Council of the International Islamic Fiqh Academy of the Organization of the Islamic Conference, holding its 8th session in Bandar Seri Begawan, Brunei Darussalam, on 1–7 Muḥarram 1414h (21–27 June 1993),

Having reviewed the publication rules and standards governing the Academy's research process and submissions,

Having listened to the issues happening during the recruitment process and the determination of submission deadlines, in order to allow the Secretariat General of the Academy to evaluate the research papers in light of the above-mentioned publication rules,

#### Resolves

First: In the event of failure to meet the deadline for receiving the research papers, the Secretariat General of the Academy may restrict itself to the research received before the deadline, without commitment to the research received after the deadline.

Second: The Secretariat General of the Academy will not accept research papers submitted as a personal initiative by their authors without assignment from the Academy.

Third: The session's discussions shall be limited to the invited members, experts and researchers of the Academy.

Indeed, Allāh is the Giver of success.

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## IIFA Mourns His Excellency the President of Iran Ayatollah Ebrahim Raisi and His Companions



**“And it is not [possible] for one to die except by permission of Allah at a decree determined. And whoever desires the reward of this world – We will give him thereof, and whoever desires the reward of the Hereafter – We will give him thereof. And we will reward the grateful.”** Aal-Imran: 145

It was with hearts full of faith in the Almighty's destiny and His inevitable decree and surrendered to the Almighty with chests full of confidence in the extent of the Most Merciful's mercy that the Secretariat General of the International Islamic Fiqh Academy received with great sadness at dawn on Monday 12 Dhul Quida 1445, corresponding to 20 May 2024, the news of the tragic death of His Excellency Ayatollah Sayyid Ebrahim Raisi, President of the Islamic Republic of Iran, His Eminence Ayatollah Mohammad

Ali Al-Hashem, Representative of the Supreme Leader, His Excellency Dr. Hossein Amir Abdollahian, Minister of Foreign Affairs of the Islamic Republic of Iran, and other senior officials, who departed to Allah's Ultimate Mercy, which accommodates all, following a terrible helicopter accident on their return from the Republic of Azerbaijan. On this somber occasion, the International Islamic Fiqh Academy, along with its members, experts, and affiliates, stands in solidarity with the Islamic Republic of Iran's government and people. We share in their profound grief and extend our heartfelt condolences and sympathy on this monumental loss. We beseech the Almighty to amplify their reward and that of the Ummah and to compensate them and the Ummah for their fortitude in the face of this loss of their esteemed scholars. May the Almighty, in His infinite mercy, envelop them in His benevolence, forgive

their mistakes, and welcome them into His Paradise, among the prophets, the truthful, the martyrs, the virtuous, and companions. We implore the Almighty to bestow patience and solace on the Supreme Leader of the Islamic Republic of Iran, the Iranian people, the entire Ummah, and the families of the departed for their profound loss. “And We will surely test you with something of fear and hunger and a loss of wealth and lives and fruits, but give good tidings to the patient,\* Who, when disaster strikes them, say, “Indeed we belong to Allah, and indeed to Him we will return.” \* Those are the ones upon whom blessings from their Lord and mercy are given. And it is those who are the [rightly] guided.” Al-Baqarah: 155 – 157.

**Prof. Koutoub Moustapha Sano**  
**Secretary General**

## Secretary General meets Gambian Minister of Foreign Affairs



His Excellency Prof. Koutoub Moustapha Sano, Secretary General of the Academy, made a courtesy visit to His Excellency Dr. Mamadou Tangara, Minister of Foreign Affairs, International Cooperation and Gambians Abroad, on Friday 24 Shawwal 1445, corresponding to 03 May 2024, in Banjul, Republic of The Gambia. He expressed to his brother and friend, the Gambian Minister, his sincere thanks and appreciation for the warm welcome and hospitality and his great pleasure at the Republic of Gambia's hosting of the OIC Summit and its successful organization as witnessed by all the delegations participating in the summit, praising the pivotal role of His Excellency as the Minister of Foreign Affairs in this summit's success. He also spoke about the International Islamic Fiqh Academy's readiness to support the

Republic of Gambia during its chairmanship of the summit over the next three years. He then seized this occasion to present a brief overview of the Academy's history, vision, mission, and objectives; and said it is "the leading jurisprudential authority for OIC member states and Muslim communities in the world in clarifying Sharia rulings on issues and developments, correcting false concepts and misconceptions about Islam, and working hard to promote moderation, tolerance, coexistence, and fighting fanaticism, extremism, and terrorism." He also briefed the Minister on his meetings with members of Gambia's Supreme Islamic Council and the National University, which saw the signing of cooperation agreements between the Academy, the University, and the Islamic Council, in addition to the two scientific lectures he delivered thereby. He noted that these two agreements will allow Gambian scholars from the University and the Council to participate in seminars, conferences and workshops organized by the Academy. These agreements will promote partnerships between two parties. For his part, H.E. the Minister welcomed his guest and the accompanying delegation, thanking them for their visit and wishing them every

success during their stay in The Gambia, stating, "We look forward to strengthening cooperation and partnership between the Academy and the Supreme Islamic Council, especially in correcting false concepts about some social practices, customs and traditions, and clarifying Sharia rulings on new issues and developments, as well as consolidating the partnership and communication between the Academy and the University of The Gambia in the field of research and studies, with the hope that these efforts will bear fruit and that Your Excellency's visit to your second country, the Republic of The Gambia, will be repeated." The meeting was attended by Ambassador Lang Yabo, Permanent Secretary at the Ministry, Ms. Sarah Amjad Bedewi, Director of Family, Mr. Amjad Mustafa Ibrahim, Head of Protocols, and Dr. Alhagi Manta Drammeh, Head of International Cooperation.



## IIFA signs cooperation agreement with Gambia's National University

His Excellency Prof. Koutoub Moustapha Sano, heading a delegation from the Academy, visited the National University of The Gambia on Friday 23 Shawal 1445, corresponding to 03 May 2024. Upon their arrival, the Vice Chancellor of the university, Prof. Robinson, who warmly welcomed them, thanked them for the visit and for agreeing to sign a cooperation agreement between the Academy and the university. He also expressed his immense pleasure at His Excellency's acceptance to deliver a lecture, hoping that the audience will benefit from his rich experience in academia, administration, and politics. On his part, His Excellency expressed his sincere thanks and gratitude to the university administration for the warm welcome, praising the influential role played by the University of The Gambia in supporting the growth, development, and progress of the country, as the place that creates the generations who are entrusted with the task of promoting the economy, culture, education, among others. He gave



a brief overview of the Academy's history, vision, mission, objectives, and activities and noted the Republic of The Gambia's continuous support for the Academy since its establishment to this day. He also welcomed the signing of a cooperation agreement between the Academy and the University, hoping that this will be the beginning of a new phase for cooperation and partnership relations between the two institutions. He stressed that the Academy will be happy that Gambian scholars and professors participate in seminars, conferences, and workshops that the Academy organizes frequently. Then, he signed the cooperation agreement in with

the Vice Chancellor of the University, in the presence of the Director of International Relations, and the Head of the Department of Arabic Language and Islamic Studies at the University. He gifted the Vice Chancellor the Academy's Book of Resolutions among other publications. The meeting was attended by Ms. Sarah Amjad Bedewi, Director of the Department of Family, Women, Dr. Alhagi Manta Drammeh, Head of the International Cooperation and Mr. Amjad Ibrahim Mustafa, Head of Protocols.



## Secretary General gives a lecture at Gambia's Supreme Islamic Council



H.E. Prof. Koutoub Moustapha Sano, Secretary General of the Academy, delivered a lecture titled “Issues and Developments in Contemporary Islamic Jurisprudence: Girls’ Education and Interfaith Dialogue” on Friday, 23 Shawwal 1445, corresponding to 03 May 2024, at the Supreme Islamic Council’s headquarters.

Sheikh Issa Dabo, President of the Supreme Islamic Council in The Gambia, welcomed His Excellency and the accompanying delegation, expressing gratitude for their visit and the lecture. He also expressed his pleasure in honoring the Supreme Islamic Council with a cooperation agreement and invited him to deliver his lecture.

H.E. addressed the audience, discussing the Academy’s vision, objectives, means, and

values, which include addressing new issues and developments, correcting misconceptions about Islam, and helping Muslims understand their current reality. He emphasized the flexibility of Islamic jurisprudence, noting that some rulings change with times and circumstances. Issues without definitive or speculative texts should be reconsidered by scholars, adhering to the fiqh maxim: “A fatwa changes with the change of times, places, customs, traditions, conditions, and situations.”

He stressed the importance of collective ijthad, a practice dating back to the Prophet’s time (PBUH), where knowledgeable companions (RA) were consulted on contemporary issues. Collective ijthad can lead to unanimous or majority consensus, which should be followed. H.E. also discussed the role of authorities in determining the start and end of Ramadan, emphasizing that this is not an individual prerogative. Disputing these decisions infringes on the ruler’s authority. He concluded by stating that public matters should be referred to Gambia’s Supreme Islamic Council, and its rulings should be adhered to for maintaining order.

He highlighted the significance of education

in Islam, emphasizing equal access for girls and boys. He noted that forbidding girls’ education under the pretext of avoiding mixing contradicts the Quran, the Sunnah, and the Ummah consensus. The Hadith “Seeking knowledge is obligatory for every Muslim” applies to both genders. Education, both religious and worldly, is a sacred and inalienable right for all, necessary for acquiring knowledge, skills, and values to worship Allah, thrive in the world, and achieve happiness in this life and the next.

H.E. urged those in charge of religious schools in The Gambia to update their curricula to meet contemporary requirements, enabling young people to learn both religious and worldly sciences. Additionally, His Excellency and the Supreme Islamic Council’s President signed a Memorandum of Understanding between their institutions.



## Secretary General speaks of Optimism and Hope at the University of Gambia



His Excellency Prof. Koutoub Moustapha Sano, Secretary General of the Academy, delivered a scientific lecture titled “Issues in Contemporary Higher Education” on Friday, 23 Shawwal 1445, corresponding to 3 May 2024, at the University of The Gambia in Banjul. Mr. Mbake Kamara, Director of International Relations at the University of The Gambia, expressed his great happiness at this historic moment, celebrating a symbol of contemporary thought and knowledge. He said he was honored to be vailed of the opportunity to moderate the lecture, providing a brief overview of the Secretary General’s scientific, administrative, and political career, and prayed for his continued health and success.

His Excellency began his lecture by thanking the university for the warm welcome and the opportunity to address students and professors. He emphasized the importance of education, particularly higher education, in the progress of countries and peoples, and praised the University of The Gambia for its influential role in training future generations in a balanced and integrated manner. He spoke about the importance of optimism in achieving goals, urging students and attendees to be optimistic and courageous in combating four major human ills: ignorance, disease, poverty, and despair. He explained that education is the most effective way to overcome these chronic issues. Education eliminates ignorance, combats disease, and fights poverty. He noted that despair is the fiercest of these enemies, as it leads to paralysis, withdrawal from life, and may even lead to suicide. He encouraged students and researchers to adhere to the values of optimism and hope, believing that dawn will come no matter how long the night lasts, and that darkness will eventually disappear.

He pointed out that Islam forbids despair and weakness, even in the darkest circumstances.

Citing the Quran, he referenced verses from Aal-Imran 139-140 and Al-Zumar 53 to illustrate that believers should not weaken or grieve, and that Allah’s mercy is always present.

Prof. Sano concluded his lecture by expressing his sadness about the spread of illegal immigration, describing it as a sign of despair among young people in the continent. He stressed that these young people fall victim to false promises and illusions. He urged the youth to avoid being misled by false news and dreams, to continue their education in their home countries, and to seek opportunities within their own nations, which are full of potential. He emphasized that young people





## Libya's Permanent Representative to the OIC visits the Academy

His Excellency Ambassador Mohammed Al-Qamoudi Al-Hafi, Permanent Representative of the State of Libya to the Organization of Islamic Cooperation, accompanied by H.E. Mr. Mohammed Ashour Abu Rawi, Deputy Permanent Representative, visited IIFA's headquarters in Jeddah on Monday 12 Dhul Quida 1445, corresponding to 20 May 2024. H.E. Prof. Koutoub Moustapha Sano, Secretary General of the Academy, welcomed his guests and thanked them for this visit, praising the continuous support and care of the Libyan government to the Academy since its establishment. He then gave the distinguished guest a detailed overview of the Academy's activities, programs, and objectives, especially with regard to combating extremism, intolerance, and terrorism, while promoting the culture of tolerance, moderation, and openness, stressing on this occasion the Academy's full readiness to provide intellectual and scientific support to Libya's institutions. For his part, His Excellency the Ambassador expressed his great pleasure and honor to visit the Academy and his thanks and gratitude to His Excellency for the excellent reception and warm welcome, praising the scientific



status of the International Islamic Fiqh Academy and its significant role in guiding developments and studying issues through its resolutions and recommendations which are well accepted by scholars and intellectuals around the world. He also stressed his country's keenness to establish solid and sustainable relations with the Academy and benefit from it in addressing many religious and intellectual issues that concern Libyan society, especially in combating extremism and terrorism and spreading the values of moderation, moderation, openness and tolerance. His Excellency concluded his speech by expressing his aspiration to enhance cooperation and communication between the Academy and Libyan scientific and religious institutions, in particular the General Authority for Awqaf and Islamic

Affairs, through the permanent delegation, wishing His Excellency and the Academy more success in achieving the activities and programs included in the Academy's strategic plan, stressing his entire readiness to provide all necessary facilities and services for the success of the various programs and projects of the Academy, and pledging to ensure that the State of Libya fulfills its full financial and moral obligations towards the Academy. The meeting was attended by Mr. Mohammed Mondher Chouk, Director of Cabinet and Protocols, Mr. Mohammed Al-Idrissi, Director of ICT, Media and Public Relations; Mr. Mohammed Adnan Al-Fihri, Director of Administrative and Financial Affairs, Mr. Khaled Hamed Al-Ahmadi, Head of Administrative and Financial Affairs, and Mr. Amjad Ibrahim Mustafa, Head of Protocols.



## Executive Director of the Islamic Solidarity Fund visits the Academy



His Excellency Prof. Koutoub Moustapha Sano, Secretary General of the Academy, received HE Mr. Mohammed bin Sulaiman Abalkhail, Executive Director of the Islamic Solidarity Fund (ISF) on Tuesday 13 Dhul Quida 1445, corresponding to 21 May 2024, at IIFA's headquarters in Jeddah. His Excellency expressed his sincere thanks and great appreciation for the warm welcome and good reception, praising the significant position that the Academy enjoys in the conscience of all Muslims worldwide

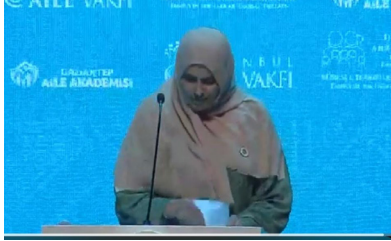
because of its good reputation, distinguished scientific value, and good impact on the lives of Muslims, through the sober and wise resolutions. His Excellency also expressed the Fund's desire to strengthen bilateral relations and discuss ways to enhance them in areas that serve their common interests, in addition to discussing other issues of common interest and exchanging expertise in the field of awqaf, their development and management. For his part, the Secretary General welcomed his distinguished guest, thanked him for his visit, appreciated his great efforts to enhance the Fund's outstanding performance and its tremendous contributions to achieving solidarity, which made it appreciated and respected by the OIC member states, and renewed his thanks and congratulations to the Executive Director and the Fund's staff and achievements and outstanding projects. He also expressed the full readiness of the Academy to provide all legit support to

the Fund through its courses, conferences and seminars, by calling the OIC Member States to increase their contributions to the Fund through zakat funds and donations to promote it and achieve the aspirations of the OIC Member States, and to serve Islam and Muslims everywhere. The meeting was attended by Mr. Mohammed Mondher Chouk, Director of Cabinet and Protocols, Mr. Moez Abdul Razzaq Al-Raihi, Director of Financing, Investment and Projects, and Mr. Mohammed Walid Al-Idrissi, Director of ICT and Public Relations.





## Director of Family and Women Participates in Turkey International Conference on Family and Global Threats



Ms. Sarah Amjad Badewi, Director of the Department of Family, Women, and Childhood Affairs, represented the International Islamic Fiqh Academy at the international conference organized by Gaziantep University in Turkey, titled “The Family Facing Global Threats,” held from May 10-12, 2024. Ms. Badewi delivered a speech during the conference’s opening session on Friday, May 10, 2024, in the presence of the Deputy Minister of Family and Social Services and the Mayor of Gaziantep. In her speech, she expressed her honour at being part of the esteemed gathering and contributing, on behalf of the International Islamic Fiqh Academy, to discussions on contemporary family challenges. She praised the organizers for addressing this important and timely topic, especially given the current challenges to family relations. She emphasized that preserving lineage and maintaining family sanctity are fundamental

goals of Sharia, recognized as universal goals across all religions and beliefs. Representing the Secretary General of the International Islamic Fiqh Academy, she highlighted resolutions issued by the Academy on the importance of family and marriage. Ms. Sarah reiterated that the Academy has consistently led efforts in defining the institution of family and rejecting any threats to it. She noted that the Academy’s vision is grounded in Islamic principles, promoting peace, equity, and compassion in society. She mentioned Resolution No. 114 (8/12) on the Islamic Declaration on the Role of Women in the Development of Muslim Society, which asserts that a family based on Islamic marriage is the cornerstone of a healthy society. Islam prohibits any form of family constitution beyond Sharia boundaries and rejects alternative relationships. Women play a vital role in family stability and prosperity, and Islam condemns any maltreatment of women, including domestic violence and sexual exploitation. Ms. Sarah also cited Resolution No. 38 (13/4) on combating moral evils and addressing contemporary challenges to family structure, such as the demands from lesbian, gay, bisexual, and transgender communities to recognize their lifestyles as normative families. She highlighted the divisions these claims cause between traditional societies

and religious communities in the West. Emphasizing the need to preserve marriage and family institutions for humanity’s good, she reaffirmed Islam’s firm stance against non-traditional family arrangements. She explained that the Holy Quran clearly condemns homosexuality, referring to homosexuals as “the people of Lot.” Prophet Muhammad (peace be upon him) confirmed that Allah curses those who engage in homosexuality. Ms. Badewi concluded by expressing strong opposition to the concept of sexual orientation and gender identity (SOGI), advocating for a thoughtful counter-narrative based on Islamic and international human rights law. She called for a coalition of like-minded countries, religious communities, and international groups to protect the institution of the family. Finally, she urged the promotion of traditional marriage by making it more accessible and reducing its



## Supervisor of the Fatwa Represents IIFA at Islamic Scholars Consultative Summit

Dr. Mohammed Mustafa Shoaib, Supervisor of the Fatwa and Reviews Observatory, represented the International Islamic Fiqh Academy at the Consultative SumMuslim World Scholars in Istanbul, Turkey, on May 13-14, 2024. The summit focused on significant issues and challenges currently facing the Muslim world. Dr. Shouaib presented a research paper on strategies for discourse and joint action against extremist ideologies threatening the Ummah. In his speech, he emphasized that Islam advocates for moderation and balance in all matters, including worship, actions, and relationships. He warned against extremism and fanaticism, asserting that moderation is not merely an option but an obligation and necessity for Ummah’s existence and its ability to bear witness to humanity. He quoted the Quran: { And so We have made you an upright community so that you may be witnesses over humanity and that the Messenger may be a



witness over you...} (Al-Baqarah 143) and { You are the best community ever raised for humanity—you encourage good, forbid evil, and believe in Allah } (Al-Imran 110). He also referenced: { And do not make your hand [as] chained to your neck or extend it completely and [thereby] become blamed and insolvent. } (Al-Isra 29), and { Eat and drink and do not waste; He does not like those who waste. } (Al-Isra 110). Dr. Shouaib also cited a hadith: “In every successive century those

who are reliable authorities will preserve this knowledge, rejecting the changes made by extremists, the plagiarisms of those who make false claims for themselves, and the interpretations of the ignorant,” and another saying of the Prophet Muhammad (peace be upon him): “Indeed, the religion is easy. No one overburdens himself with the religion, but he will be overwhelmed by it. So be moderate in your religion; if you can’t reach perfection, try to be near to it and receive the glad tidings that you will be rewarded.” He highlighted the International Islamic Fiqh Academy’s role in promoting moderation and addressing extremism, noting that the Academy has issued numerous resolutions on this topic. At the end of his speech, Dr. Shouaib thanked the Turkish government, its people, and the Presidency of Religious Affairs for their dedication to Muslim issues and their support for conferences that unite the Ummah in addressing its challenges.

## Secretariat General holds a ceremony honoring IIFA's retiring employees



In recognition of their distinguished efforts and contributions to the International Islamic Fiqh Academy for more than two decades, His Excellency Prof. Koutoub Moustapha Sano, Secretary General of the Academy, held an honoring ceremony for Dr. Abdulqahir Qamar, Director of the Research, Studies,

and Encyclopedias Department, and for Mr. Tariq Mirab Ali at the Secretariat General of the Academy, on Thursday, 15 Dhu'lqadah 1445 corresponding to 23 May 2024, on the occasion of reaching the age of retirement. On this occasion, His Excellency expressed the Academy's deep gratitude and appreciation for their valuable services throughout their career at the Academy, praising their sincerity, dedication and diligence, stressing that the Academy will always be indebted to them, and looking forward to continued communication between them and the Academy in the future. He prayed to Allah to keep them as an asset to Islam and Muslims, to reward them and the Ummah with the best reward, and to

grant them success in their future endeavors. His Excellency then presented each of them with a commemorative shield, expressing the Academy's gratitude and appreciation for their contributions. At the end of the ceremony, His Excellency invited the Academy's employees to have a lunch in their honor.



## Dr. M. Shoaib represents IIFA at Accreditation Commission 22nd Meeting

On the 2nd May, 2024 Dr. Mohammed Mustafa Ahmed Shoaib, Supervisor of the Observatory of Fatwas and Revisions represented the Academy at the 22nd meeting of the Scientific Commission for the Accreditation of the General Council of Islamic Banks and Financial Institutions, via videoconferencing on Thursday 23 of Shawal 1445, corresponding to May 2, 2024. Dr. Shoaib also participated in the strategic seminar for professional development officers and stakeholders, which was organized remotely by the General Council of Islamic Banks and Financial Institutions on the same day, May 2, 2024, which highlighted the topic of professional development in Islamic finance. It addressed the importance



of modern technology – particularly artificial intelligence and software – in training, and the urgent need for Islamic finance workers to make use of this technology and benefit from all areas of modern technology, particularly in training strategies, collection and analysis

of various information, due to the many benefits provided by these technologies, including: Saving time, effort and money, with precision, perfection, machine learning, adaptation, prediction and reducing the error rate to the minimum possible, by collecting, processing, analyzing and linking data; thus facilitating research, innovation, the exchange of expertise and knowledge, developing scientific and cognitive skills, and rapidly concluding various results and data, all of which has made artificial intelligence a scientific revolution that will soon change the face of the world we live in. Dr. Shoaib also called for the risks that accompany these technologies to be avoided, and for mechanisms and controls to be put in place

## 41st Monthly Staff Meeting



His Excellency Prof. Koutoub Moustapha Sano, Secretary General of the International Islamic Fiqh Academy, chaired on Sunday 03 Dhu'l-Hijjah 1445, corresponding to 09 June 2024, the 41st monthly meeting of the Academy's staff at its headquarters in Jeddah. His Excellency started the meeting by welcoming the attendees and then discussed the initial approval of the food symposium.

Thus, His Excellency instructed the various committees to work to implement all the symposium's requirements and pay attention to all the event's details so that the symposium would be held in the best conditions and with success. His Excellency also congratulated the employees on the arrival of these blessed days of Dhul Hijjah, pointing out their virtues and good deeds during this best period of the year. He urged everyone to take advantage of them through acts of obedience and multiplying good deeds to obtain greatest divine reward that Allah has prepared for His servants. His Excellency paved the floor for the employees to express their opinions and observations about the work progress in the Academy, and he listened attentively to the comments and

suggestions, after which the meeting took several decisions, the most important are the following:

- Assign the Department of Conferences and Seminars to oversee entering the research via Excel, which will be transferred to the Scientific Committee for review.
- Setting a deadline for the receipt of research papers, with an apology to the rest of researchers who had not met the deadline.
- Emailing the heads of various institutions who signed agreements with the Academy and invite them to participate in the 26th Session.

## 128th Weekly Meeting of Departments

His Excellency Prof. Koutoub Moustapha Sano, Secretary General of the Academy, chaired the 128th weekly meeting of IIFA's departments on Tuesday 13 Dhul Quida 1445, corresponding to 21 May 2024, at the Secretariat General's headquarters in Jeddah. He began the meeting by expressing his condolences to Ayatollah Sayyid Ebrahim Raisi, President of the Islamic Republic of Iran, His Eminence Ayatollah Mohammad Ali Al-Hashem, Representative of the Supreme Leader, His Excellency Dr. Hossein Amir Abdollahian, Foreign Minister of the Islamic Republic of Iran, and other senior officials who perished with them, may Allah shower them with His vast mercy.

His Excellency then talked about the Islamic Solidarity Fund's delegation, headed by the



Executive Director, H.E. Mr. Mohammad Sulaiman Abalkhail, that visited the Academy's headquarters and vowed to visit again the Academy in the near future. His Excellency expressed to the delegation the full readiness of the Academy to provide all support to the Fund through organizing workshops, conferences, and seminars aimed at promoting it, achieving the OIC Member

States' aspirations, and serving Islam and Muslims worldwide. The meeting discussed previous decisions and issued new ones, notably:

- Preparing a visit to the MWL's Secretary General to discuss holding a conference between both institutions in one of Muslim communities' countries.
- Including the Makkah Document, the Building Bridges Document, and the Women's Document in the agenda of the twenty-sixth session for adoption by the Council of the Academy.
- Inventorying the library of the Academy by recording the information for each book digitally by a specialist with the latest softwares.

## 59th Periodic Meeting of Divisions

His Excellency Koutoub Moustapha Sano, Secretary General of the International Islamic Fiqh Academy, chaired the 59th regular meeting of the Heads of Divisions of the Academy on 22 Shawal 1445, corresponding to 01 May 2024, at the Secretariat General's headquarters in Jeddah. His Excellency opened the meeting by welcoming the heads of divisions and thanking them for their attendance and motivating them to continue following up the 26th session diligently,

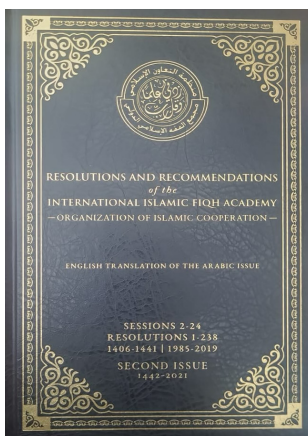


including reviewing and coordinating research, calling for more cooperation and integration between departments and divisions on a daily basis in order to avoid all

obstacles, difficulties, and errors. The meeting discussed previous decisions and new ones were taken, notably:

- Typesetting the resolutions in French and English and sending them to the print.
- Completing all pending translations of the Book of Resolutions, writing a detailed report on them, and working on getting them ready for printing
- Adding the first session to the book of resolutions before sending it to print.

## 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 humanity that will remain forever on earth.



## Resolutions and Recommendations of the 9th Session of the Council of the International Islamic Fiqh Academy

Abu Dhabi - United Arab Emirates

1-6 Dh al-Qi'dah 1415 / 1-6 April 1995

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. 84 (1/9) Gold Trading and Shariah Solutions to Combined Cash and Hawala

The Council of the International Islamic Fiqh Academy of the Organization of the Islamic Conference, holding its 9th session in Abu Dhabi, United Arab Emirates, on 1-6 Dhū al-Qi'dah 1415h (1-6 April 1995),  
Having examined the research papers submitted to the Academy concerning Gold Trading and Shariah Solutions to Combined Cash and Hawala (Transfer),  
Having listened to the discussions on the subject,  
Resolves

Gold Trading:

1. It is permissible to purchase gold and silver by certified cheques provided that the exchange should be held in a majlis (attendance of the parties).
2. Confirming scholars' opinions regarding the impermissibility of exchanging gold jewelry for gold jewelry of higher value, as there is no sense in exchanging gold for other gold of a better quality or Therefore, the Academy is of the opinion that it is not necessary to delve into this issue since it has lost its applicability and since nowadays, gold as a currency has been replaced by paper money. If it is exchanged with gold, it will be considered as another different type.
3. It is permissible to exchange a gold quantum for a lower quantum associated with a throw-in of a different nature, on the grounds that the difference in one of the elements exchanged is compensated by the throw-in.
4. Since the following issues require

further conceptualizations as well as technical and Islamic research, it was decided to postpone the adoption of a resolution in their regard, until collecting the necessary data to distinguish them, notably:

- o Purchase of shares in a gold or silver mining
- o Owning and granting ownership of gold through the delivery and receipt of certificates representing specific quantities of gold that are available in the safety boxes of the issuing party for him to use in accessing or disposing the gold whenever he wishes.

Second: Shariah Solutions to Combined Cash and Hawala (Trans- fer)

1. Transfers made in a specific currency and which the client wishes to transfer in the same currency are permissible under Shariah, whether for a fee or not, within the limit of the actual When carried out without a fee, it is considered as an absolute transfer for those who follow the Hanafi fiqh which does not stipulate the client's indebtedness. For other schools of fiqh, it is considered as "souftaja", which is the act of depositing a certain amount of money with someone to pay it for the depositor or his representative in another country.

In case transfer is made for a fee, then it is considered as an agent against a charge but if the transfer agents operate transfers for the general public, then they are considered as guarantors of the amount, under the guarantee of the common service provider.

1. If the transfer calls for the payment in a currency other than the one in which it was deposited, then the transaction involves an exchange and transfer of currency, in the sense indicated in paragraph (a). The exchange operation is affected prior to the transfer, the customer remitting the amount over to the bank, and the bank crediting its registers with the same amount, after agreement on the exchange rate set forth in the receipt delivered to the customer. Thereafter, the transfer operation is carried out in the sense indicated above.

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### Resolution No. 85 (2/9) Salam Sale and its Contemporary Applications

The Council of the International Islamic Fiqh Academy of the Organization of the Islamic Conference, holding its 9th session in Abu Dhabi, United Arab Emirates, on 1-6 Dhū al-Qi'dah 1415h (1-6 April 1995),  
Having examined the research papers submitted to the Academy concerning Salam Sale and its Contemporary Applications,  
Having listened to the discussions on the subject,  
Resolves

First: Salam Sale

1. Commodities in which a Salam contract may take place include any permissible tradable goods with definable features, imputable as a debt, be they raw materials, agricultural products or manufactured goods.
2. Salam contract must be well-defined either by tying it to a well-known deadline or to an event whose happening is an absolute certainty even if the date of its occurrence may be subject to a slight difference not likely to cause discord such as the harvesting season.
3. Salam capital should – in principle – be received promptly during majlis al-aqd (attendance of the parties). However, it is permissible to defer it for two or three days, albeit on condition, the period of deferment being neither equal to nor above the date fixed in the Salam contract.
4. There is no restriction in Shariah for the purchasing party to take a pawn or a security from the recipient (the selling party).
5. It is permissible for the buyer to exchange the goods subject to Salam for something else other than cash after maturity of the deadline, be it of the same nature or not, since there is no specific Islamic text or consensus forbidding it, on condition that the substitute is itself amenable for Salam against the Salam capital.



6. In case the recipient (i.e. the selling party) fails to deliver the goods subject to Salam on maturity date, then the creditor (i.e. the buyer) may, at his discretion, either wait until the goods are available or cancel the contract and recover his capital. However, if the default is due to genuine incapacity, then tolerance is in the order of the day until better times.

1. It is not permissible to include a penalty clause for the delay of providing the commodity since a commodity sold through Salam is a debt and it is not permissible to impose an additional charge for delayed repayment of debt.

2. It is not permissible to use a debt as a capital for a Salam sale since this would amount to selling a debt against another debt. Second: Contemporary Applications of Salam Salam is considered today as a highly effective financing instrument in Islamic economy and in the activities of Islamic banks due to its flexibility and responsiveness to the various needs of financing, be it for short, medium or long terms, as well as its adaptability to the needs of various and multiple sections of customers, be they producers, agrarians, industrialists, building contractors, or traders, in addition to the capacity it offers to finance operating as well as other capital expenses. Hence, the wide range of Salam applications may include:

1. A Salam contract may be used to finance various agricultural operations, in which case the Islamic bank deals with farmers expected to have the commodity in the right season, either from their own crop or from that of others, which they may purchase and deliver in case of failure on their part to honor the delivery out of their own crops. Thus, the bank would extend to them this benefit of a great value and protect them against the failure to meet their production targets on account of financial

2. A Salam contract may be used to finance agricultural or industrial activities, particularly for financing the stages before the production and export of the tradable goods, by means of buying them with a Salam contract and remarketing them at profitable

3. A Salam contract may be applied in the financing of handicraftsmen, small producers, farmers, and manufacturers by providing them with the necessary production requirements in the form of tools, equipment, or raw material as a forward capital (Salam capital) in order to access some of their

products and remarketing them.

Recommendation

To further elaborate the contemporary forms of Salam applications after conducting specialized research on the subject.<sup>22</sup>

Indeed, Allāh is the Giver of success.

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### Resolution No. 86 (3/9) Bank Deposits (Bank Accounts)

The Council of the International Islamic Fiqh Academy of the Organization of the Islamic Conference, holding its 9th session in Abu Dhabi, United Arab Emirates, on 1–6 Dhū al-Qi'dah 1415h (1–6 April 1995),

Having examined the research papers submitted to the Academy concerning Bank Deposits (Bank Accounts), Having listened to the discussions on the subject, Resolves

First: Call deposits (current accounts) whether at Islamic banks or usury-based banks, are considered as loans in the Shariah perspective, since the bank receiving these deposits is answerable for their safety and is Shariah-bound to returning them on call. The ruling applicable to the loan is not affected by the bank's (borrower) solvency or otherwise. Second: Bank deposits are of two categories depending on the type of actual banking operations:

1. Deposits for which interest is paid, as in the case of usury-based banks, being usury loans, are prohibited whether they are call deposits (current accounts) or term deposits, notice deposits, or savings accounts.

2. Deposits placed in banks, which are seriously Shariah-compliant through an investment contract for a profit share, are considered as Muḍārabah capital, and are therefore subject to the rulings applicable to Muḍārabah (Qirad), including the ineligibility for the Muḍārib (bank) to guarantee the capital of the Muḍārabah transaction.

Third: The guarantee for call deposits (current accounts) are attributable to the debtors (bank shareholders) as long as they have the exclusive benefit of the profits from their investment. Depositors in investment accounts are not called upon to participate in

guaranteeing these current accounts, as they are associated neither in the borrowing nor in the profits due.

Fourth: Mortgaging of deposits, whether call accounts or investment accounts, is permissible, and mortgaging against their amounts can only take place through an arrangement precluding the account holder from having access to it for the duration of the mortgage. In case the bank operating the current account is itself the mortgage, the amount must be transferred to an investment account in such a way that the guarantee is no longer applicable to the conversion of the loan into a Qirad (Muḍārabah) and the profits arising from the accounted are credited to the account holder so as to prevent the mortgagee (creditor) from benefiting from any increase in the mortgage value.

Fifth: Retention on the accounts is permissible if agreed upon by the bank and the customer.

Sixth: The principal norm as to the legitimacy of these transactions calls for trust and honesty in disclosing data in a manner that would eliminate ambiguity or deception, and that would reflect reality in a way consistent with Shariah provisions. Rather, this is more of a duty for banks to the accounts they manage since their activities are based on their presumed credibility and to avoid misleading the involved parties.

Indeed, Allāh is All-Knowing.

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### Resolution No. 87 (4/9) Investment in Shares and Investment Units

The Council of the International Islamic Fiqh Academy of the Organization of the Islamic Conference, holding its 9th session in Abu Dhabi, United Arab Emirates, on 1–6 Dhū al-Qi'dah 1415h (1–6 April 1995),

Having examined the research papers submitted to the Academy concerning Investment in Shares and Investment Units, highlighting the issue of purchasing companies' shares whose objective and main activities are permissible, but borrow or deposit funds on a usurious basis,

Having noted that no resolution has yet been issued on these companies although two

seminars have been held on this subject and a preliminary resolution has been issued by the Academy at its seventh session, followed by another resolution at its eighth session,<sup>23</sup> to the effect that the Secretariat General of the Academy shall commission further research to issue an appropriate resolution at its next session,

Having conducted discussions on the subject, it became clear that the subject needs in-depth studies to establish regulations for this type of companies which are more common inside as well as outside the Muslim world,

Resolves

First: To postpone the examination of this subject provided further studies shall be carried out to clarify its technical and Shariah-related aspects, so that the Academy may adopt an appropriate following the recommendation of the eighth session.

Second: To draw upon the three research papers on funds and investment bonds to elaborate the statute requested by the Academy resolution no. 30 (5/4).

Indeed, Allāh is the Giver of success.

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### Resolution No. 88 (5/9) Calls for Bids

The Council of the International Islamic Fiqh Academy of the Organization of the Islamic Conference, holding its 9th session in Abu Dhabi, United Arab Emirates, on 1–6 Dhū al-Qi'dah 1415h (1–6 April 1995),

Having examined the two research papers submitted to the Academy concerning Calls for Bids,

Having listened the discussions on the subject, In accordance with the Academy's methodology, requiring the preparation of several studies on the same subject to examine its technical concepts and present its Fiqh opinions,

Resolves

First: To postpone the issuance of a resolution concerning the themes examined under this subject, due to its importance, and to the need to complete the study in all its aspects and details, to elicit all related opinions, and to define the various fields in which bidding

may take place, more particularly those fields which are prohibited such as usury-based financial instruments and treasury bonds.

Second: The Academy's members and experts shall submit to the Secretariat General before the session's end, if possible or shortly after its conclusion, any technical or Shariah-related issues regarding the subject above, whether relating to the procedure, modes, or contracts used for the conclusion of the call for bids.

Third: To commission further research on the subject to which technical, practical, and fiqh experts shall contribute.

Indeed, Allāh is the Giver of success.

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### Resolution No. 89 (6/9) Currency-related Issues

The Council of the International Islamic Fiqh Academy of the Organization of the Islamic Conference, holding its 9th session in Abu Dhabi, United Arab Emirates, on 1–6 Dhū al-Qi'dah 1415h (1–6 April 1995),

Having examined the research papers submitted to the Academy concerning Currency-related Issues,

Having listened to the discussions highlighting that there are several directions to deal with the various cases of hyperinflation which lead to a serious decline in the purchasing power of some currencies, including:

1. Such exceptional cases also fall under the Academy resolution no. 42 (4/5) issued at its fifth session stipulating: "The norm in the settlement of debt incurred in a specific currency is that it should be settled in the same (currency), rather than in value terms, for debts must be settled in an identical resource, and fixed debts, whatever their origin, are not permissible to be tied to the level of prices."

2. The principle of indexation to the living cost shall be applied in such exceptional cases (taking into consideration the purchasing power of currencies).

3. The principle of indexation of banknotes to gold (referring to the currency's value in gold on maturity date).

4. The principle of mandatory agreement in honor is applied, after definition of damages incurred by the two parties

(debtor and creditor).

5. A distinction shall be made between the decline in currency value through market forces of offer and demand, and the State devaluating its currency through a clear decision in such a manner that the paper currency's value which is normative and prescriptive may alter.

6. A distinction shall be made between the decline in the currency's purchasing power occasioned by government policies and that occasioned by external factors.

7. The principle of "cases of catastrophe" that falls under the consideration of emergency circumstances shall be applied to these exceptional cases.

In light of these disparate opinions, which need to be duly studied and examined,

Resolves

First: The Academy – in collaboration with one of the Islamic financial institutions – should organize a specialized symposium that would bring together several specialists in the fields of economics and Fiqh, including some of the Academy's experts and members, to explore the most sound and appropriate ways that could be agreed upon for the settlement of debts and the commitments in the aforementioned exceptional circumstances.

Second: The symposium's agenda should include:

1. Study of the concept of inflation, its different types, and its technical
2. Study of the economic and social effects of inflation and their economic
3. Submit Fiqh solutions to solve inflation as mentioned in the preamble of this resolution.

Third: The conclusions of the symposium – together with its papers and minutes – shall be submitted to the Council of the Academy at its next session.

Indeed, Allāh is the Giver of success.

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## Resolution No. 90 (7/9) Acquired Immunodeficiency Syndrome (AIDS) and its Shariah Rulings

The Council of the International Islamic Fiqh Academy of the Organization of the Islamic Conference, holding its 9th session in Abu Dhabi, United Arab Emirates, on 1–6 Dhū al-Qi'dah 1415h (1–6 April 1995), Having examined the research papers submitted to the Academy concerning Acquired Immunodeficiency Syndrome (AIDS) and its Shariah Rulings, Having listened to the discussions on the subject, Resolves

First: Isolation of the Patient

Medical data available today affirms that contagion with the human acquired immunodeficiency syndrome (AIDS) virus does not occur through cohabitation, ordinary contact, breathing, insects' bites, sharing of food, drink, swimming pools, seats, tableware, or any of the other aspects of ordinary cohabitation. Instead, contagion can only occur through one of the following vehicles:

1. Sexual contact in any
2. Transfusion of contaminated blood or its by-products.
3. Use of contaminated needles, especially among drug addicts, as well as shaving blades.
4. Transmission from an affected mother to her child during pregnancy or at birth.

Given the above, it emerges that if there is no risk of contagion; hence, isolating victims from their healthy peers is not a Shariah obligation. The patients can be dealt with according to the approved medical procedures.

Second: Deliberate Transmission of the Disease

The deliberate transmission of AIDS to a healthy individual, in any manner, is haram and is considered one of the major sins and transgressions. It also calls for the imposition of an earthly punishment which may vary depending on the severity of the act and its impact on the health of people and society.

If the purpose of the willful perpetrator is to spread this disease in society, then this act is considered a Hiraba (a crime against humanity) and a vicious act of evil-spreading, which warrants one of the punishments

stipulated in the verse of hiraba: «Indeed, the penalty for those who wage war against Allāh and His Messenger and strive upon earth [to cause] corruption is none but that they be killed or crucified or that their hands and feet be cut off from opposite sides or that they be exiled from the land. That is for them a disgrace in this world; a heavy punishment is theirs in the Hereafter.» (Al-Mā'idah, 33)

If his intention in deliberately transmitting the disease, was to infect a specific person, and if the infection has indeed occurred but the victim of the transmission is still alive, the deliberate transmitter is subjected to appropriate punishment of Tazir (as decided by the Islamic judge). In case of the victim's death, then the death penalty is considered applicable to the transgressor.

In case, however, the transgressor's intention was to transmit the disease to a specific person, but the infection does not take place, the transgressor is subject to Tazir punishment.

Third: Abortion of an AIDS-infected Mother

Since the transmission of AIDS occurs, in the overwhelming majority of cases, only at the advanced stage of pregnancy (after the fetus has received life) or during delivery, it is therefore not permissible to abort the fetus, according to Shariah.

Fourth: Custody and Feeding of an AIDS-infected Mother to her Healthy Child

Current medical data indicates that there is not definite danger in an AIDS-infected mother keeping her child in her custody and breastfeeding him/her, such a case being comparable to the case of ordinary association and cohabitation; therefore, there is no Shariah prohibition on the mother to keep her child in her custody and breastfeed him/her, unless there is a medical report otherwise.

Fifth: Healthy Spouse's Right to Separation from the AIDS-infected Spouse

A wife has the right to request separation from the affected husband, considering that AIDS is a contagious disease that is transmitted primarily through sexual contact.

Sixth: Considering AIDS as a Terminal Disease in Shariah

The disease of AIDS is considered a terminal disease according to Shariah if all its symptoms are present and the victim is no longer able to lead an ordinary living, and death becomes imminent.

Recommendations

First: To postpone the subject of "the right to conjugal relationship" for further research.

Second: The need to maintain screening of Hajj pilgrims, to ensure that they are free of all contagious diseases, including AIDS.

Indeed, Allāh is the Giver of success.

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## Resolution No. 91 (8/9) The Principle of Arbitration in Islamic Jurisprudence

The Council of the International Islamic Fiqh Academy of the Organization of the Islamic Conference, holding its 9th session in Abu Dhabi, United Arab Emirates, on 1–6 Dhū al-Qi'dah 1415h (1–6 April 1995), Having examined the research papers submitted to the Academy concerning the Principle of Arbitration in Islamic Jurisprudence,

Having listened to the discussions on the subject,

Resolves

First: Arbitration is an agreement between the two parties to a specific conflict to commission a third party to arbitrate between them and settle their disagreement through a binding verdict compliant with Shariah. Arbitration, thus conceived, is permissible, whether it is amongst individuals or in the field of international conflicts.

Second: Arbitration is a non-binding contract for the two conflicting parties nor is it for the arbitrator. It is permissible for either party to decline it as long as the arbitration has not begun, and it is permissible for the arbitrator to disassociate himself from the matter – even after agreeing once – as long as he has not rendered a verdict. However, the arbitrator is not permitted to designate someone else as his replacement without the consent of both parties concerned, for their consent is tied to his persona alone.

Third: Arbitration is not permissible in matters that are exclusive divine rights such as Hudūd (pl. of had), nor in cases in which a verdict depends on the establishment or rebuttal of another verdict concerning a third party over whom the arbitrator has no guardianship, such as l'ān (cursing oath), due to its impact on the child's right. Arbitration is also not permissible in cases

that fall under the exclusive realm of jurisdiction. Arbitration in cases that are not eligible for arbitration is null and void.

Fourth: It is a condition for the arbitrator, as a fundamental principle, to meet the prescriptive requirements in a judge.

Fifth: As a principle, the verdict issued by the arbitrator should be enforced

voluntarily. If either party refuses to do so, the matter is submitted to the court for enforcement, and the latter cannot abrogate the verdict unless it is found to constitute a clear inequity or deviation from Shariah.

Sixth: In the absence of international Islamic Courts, Muslim States or Islamic institutions are permitted to seek arbitration from non-Islamic inter- national courts to quest for a Shariah-permissible settlement.

Recommendation

Call on the Member states of the Organization of the Islamic Conference to fi- nalize the necessary procedures for establishing an International Islamic Court of Justice and enable the latter to carry out its tasks as stipulated in its statute.

Indeed, Allāh is the Giver of success.

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## Resolution No. 92 (9/9) Sad Dharai (Blocking Means to Evil)

The Council of the International Islamic Fiqh Academy of the Organization of the Islamic Conference, holding its 9th session in Abu Dhabi, United Arab Emirates, on 1–6 Dhū al-Qi'dah 1415h (1–6 April 1995),

Having examined the research papers submitted to the Academy concerning Sad Dharai (Blocking Means to Evil), Having listened to the discussions on the subject,

Resolves

1. The preemption of the means to evil is one of the fundamental principles of Shariah. It is defined as the prohibition of an otherwise permissible matter but which may be used to commit corruptions or prohibitions.

2. The preemption of the means to evil is not limited to matters that call for questioning or caution, rather it can extend to all that could be used as gateway to any prohibited

3. The preemption of means to evil calls for blocking the way to any tricks that paves the way to the commitment of forbidden acts or to the nulli- fication of any provision or requirement of Shariah. A trick differs from Dhari'a (sing. evasive legal devices) in that the former depends on the existence of deliberate intention, whereas the latter does not.

4. Dharia (evasive legal device) are of several categories:

- The first category is subject to a legal consensus regarding its prohibition:

This category includes evasive devices that are stipulated in the Holy Quran and the Sunnah, and those which are definitely or most probably conducive to evil action, regardless of whether the medium used is itself permissible, desirable, or obligatory, such is the case of contracts which are concluded for the purpose of committing a prohibited act by stipulating it in the contract

- The second category is unanimously subject to an open character:

This includes cases where the benefit exceeds the harm that can be caused.

- The third category is subject to a legal disagreement:

This includes cases where to all appearance, the intention is a sound one but is still surrounded by a suspicion of a gateway to something prohibited, due to its frequent use to such a purpose.

5. The legal norm for the permissibility of a Dhari'a is that it rarely leads to an evil action or that the action's benefits are more likely than the harm that

The legal norm for the prohibition of a Dhari'a is that it definitely or in most cases leads to an evil action, or that the harm likely to result from it is greater than the benefit.

Indeed, Allāh is All-Knowing.

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## Secretary General participates in Annual Grand Hajj Symposium



H.E. Prof. Koutoub Moustapha Sano, Secretary General of the International Islamic Fiqh Academy, took part in the 48th edition of the “Grand Hajj Symposium,” held in Makkah, Saudi Arabia, on Monday, 4 Dhul Hijjah 1445 (June 10, 2024). The event, titled “Observing Sharia Exemptions and Adhering to the Regulations of Hajj,” gathered approximately 500 attendees, including ministers, scholars, and intellectuals from across the Muslim world. The primary aim of the symposium was to unify



and strengthen efforts to educate pilgrims on the simplicity and ease of performing Hajj rituals. The event was inaugurated by the Saudi Minister of Hajj and Umrah, Dr. Tawfiq bin Fawzan Al-Rabiah, who welcomed the esteemed participants, dignitaries, and experts. During the second session,

titled “Fiqh of Exemptions and Its Impact on Facilitating Hajj,” Prof. Sano delivered a scholarly address. He highlighted the crucial distinction between Sharia exemptions and jurisprudential exemptions in the context of Hajj practices. He noted, “It seems there is often confusion between Sharia exemptions and jurisprudential exemptions. The focus should be on jurisprudential exemptions in its fundamental or usuli sense, not legal exemptions, as legal exemptions—based on the Quran and Sunnah—should be adhered to strictly, as the Prophet (PBUH) said, ‘Allah loves that His exemptions be taken just as He loves that His ordinances be followed.’” He further explained that jurisprudential exemptions refer to the rulings formulated by scholars based on varying interpretations, sometimes relying on less conclusive evidence. These exemptions, often referred to as “slips of the scholars,” can weaken one’s religious practice if followed indiscriminately. Prof. Sano referenced notable jurists such as Imam Sufyan al-Thawri and Imam Ibn Qayyim al-

Jawziyyah in support of this view. His Excellency emphasized that while Sharia exemptions should be adhered to in Hajj matters, jurisprudential exemptions should be carefully evaluated with input from authoritative jurisprudential councils and Sharia bodies, such as the Council of Senior Scholars in Saudi Arabia, the Islamic Fiqh Council of the MWL, and the International Islamic Fiqh Academy of the OIC. These councils consist of the Ummah’s leading scholars and are entrusted with clarifying Sharia rulings on complex issues. The Grand Hajj Symposium, organized annually by the Ministry of Hajj and Umrah since 1970 (1390 AH), is one of the most prominent scientific events dedicated to discussing and resolving issues related to Hajj and the service of pilgrims.



## Secretary General stressed that Moderation is not a choice but Duty



H.E. Prof. Koutoub Moustapha Sano, Secretary General of the International Islamic Fiqh Academy (IIFA), participated in the international conference titled “The Role of Universities in Promoting the Values of National Belonging and Peaceful Coexistence.” Organized by Imam Muhammad bin Saud Islamic University in Riyadh and held under the patronage of the Custodian of the Two Holy Mosques, King Salman bin Abdulaziz Al Saud, the event took place between 18-20 Shawwal 1445 (April 27-29, 2024). Experts and academics from various fields gathered to share successful experiences and practices aimed at fostering national belonging and peaceful coexistence. The conference explored how universities can contribute to development, sustainability, positive citizenship, and the promotion of a culture of coexistence, tolerance, and moderation, both within curricular and extracurricular activities. In the third session, titled “Moderation and Its Role in Development and Peaceful Coexistence,” the Secretary General delivered a speech underscoring that moderation serves as a safeguard against fanaticism, extremism, and decadence. He defined moderation as righteousness, ease, and tolerance—remaining distant from both extremism and fanaticism, as Allah states in the Qur’an: “Allah intends for you ease and does not intend for you hardship” [Al-Baqarah 2:185] and “And Allah wants to lighten for you [your difficulties]; and mankind was created weak” [Al-

Nisa 4:28]. Additionally, he referenced the hadith: “The religion is ease, but if anyone overdoes it, it overwhelms them; so keep to the right course, approximate to perfection, and rejoice” (narrated by Al-Bukhari), and “Beware of going to extremes in religious matters, for those before you were destroyed because of going to extremes in religious matters” (narrated by Ahmad and Al-Nisai). Prof. Sano emphasized, “Being a middle or moderate nation is not a choice, but an obligation. The righteousness of a nation depends on it being a middle nation. This is the civilizational mission: to reject extremism and preserve the true essence of our religion. The middle way is the best and safest path for all people.” He supported this by citing the verse, “And thus We have made you a just community that you will be witnesses over the people and the Messenger will be a witness over you” [Al-Baqarah 2:143], and “You are the best nation produced [as an example] for mankind. You enjoin what is

right and forbid what is wrong and believe in Allah” [Al-Imran 3:110]. He further highlighted that a balanced and moderate individual is uniquely equipped to live peacefully with others, regardless of differences, by evaluating matters with fairness, avoiding excess or severity. He stressed that a sense of belonging to one’s homeland is innate, and patriotism, defined as emotional attachment to the place one calls home, is vital for human life. Love for one’s country often manifests itself in expressions of nostalgia and admiration, especially when far from home. Prof. Sano also reiterated that peaceful coexistence is a foundational principle of Islam, grounded in values such as religious freedom, mutual respect, and the right for everyone to live in safety and peace. He emphasized that diversity, differences, and multiplicity are divine laws intended to foster understanding, tolerance, and coexistence, rather than conflict. Therefore, it is crucial to highlight Islam’s teachings on tolerance, justice, and peaceful coexistence, even with followers of other faiths, as long as they do not engage in hostility. He concluded by highlighting IIFA’s commitment to promoting moderation, particularly through its recognition of the eight Islamic schools of law. By not adhering to any one school, IIFA adopts moderation as a core value and seeks to study contemporary issues in light of Sharia’s objectives for the well-being of individuals and nations.





## Secretary General spoke on Prof. AbuSulayman's Contributions to Integration Knowledge



H.E. Prof. Koutoub Moustapha Sano, Secretary General of the International Islamic Fiqh Academy, took part in the international conference organized by IIUM's AbuSulayman College of Revealed Knowledge and Humanities on Thursday, 22 Dhu'l-Qi'dah 1445 (30 May 2024), at Gombak University College in Kuala Lumpur. The event commenced with the recitation of verses from the Holy Quran, followed by a welcome address from H.E. Prof. Dr. Shukran Abdul Rahman, Dean of the AbuSulayman College. Prof. Rahman expressed gratitude to the participants and emphasized the significance of highlighting the late Islamic thinker Dr. Abdul Hamid bin Ahmad AbuSulayman's contributions to integrating revealed knowledge with the humanities and applied sciences, a reformist project that Dr. AbuSulayman championed as a solution to the Ummah's challenges. Prof. Rahman noted that the conference, organized by the college, serves as a practical implementation of Dr. AbuSulayman's vision and urged its continuation through academic programs and curricula. He also underscored the close collaboration between the college and the IIFA, announcing that the Academy



would cover the costs of publishing the conference papers in a forthcoming book. In his address, H.E. Prof. Tan Sri Zulkifli Abdul Razak, Rector of the International Islamic University, praised the institution for its unique approach to balancing Islamic sciences with human and social sciences, while also integrating Islamic values with applied sciences. He commended the university for nurturing a generation of youth who embody both moral values and academic excellence, reflecting Islam's timeless message of mercy, justice, and creativity. Prof. Koutoub Moustapha Sano, in his keynote address titled "The Contributions of the Late Great Islamic Thinker Dr. Abdul Hamid bin Ahmed AbuSulayman to Knowledge Integration", expressed his gratitude to the university and the AbuSulayman College for organizing the event. He briefly outlined Dr. AbuSulayman's biography, highlighting his significant influence on contemporary Islamic thought and his role in establishing prominent intellectual institutions such as the World Assembly of Muslim Youth in Saudi Arabia, the Society of Muslim Social Scientists in the U.S., the International Institute of Islamic Thought, and the International Islamic University in Malaysia. Prof. Sano focused on Dr. AbuSulayman's contributions to resolving the intellectual crisis that has hindered the Ummah's progress. He pointed out that Dr. AbuSulayman rejected the common belief that the Ummah's crisis was due

to weak faith or a lack of resources. Instead, he identified the crisis as rooted in the Ummah's misunderstanding of revelation and its confusion between revealed knowledge and human interpretations of that knowledge. Dr. AbuSulayman argued that the solution lies in drawing on both the insights of human and social sciences and the eternal values and principles of Islamic revelation. Prof. Sano emphasized that Dr. AbuSulayman's vision of knowledge integration is not about merging revelation with science but integrating the knowledge derived from revelation with human and social sciences. He believed that applied sciences should be guided by Islamic values and objectives (Maqasid) to ensure they contribute to the welfare and happiness of humanity. Dr. AbuSulayman's book, "The Crisis in the Muslim Mind," called on the Ummah to move beyond traditional and imported solutions and instead pursue an approach that balances authenticity with modernity. His vision included integrating the knowledge of revelation with the human and social sciences and applying the objectives of Sharia to guide applied sciences towards achieving the greater good for society.



## Secretary General affirms that Sharia established Higher Maqasid, General Rulings, and Fixed Principles Governing Investment



H.E. Prof. Koutoub Moustapha Sano, Secretary General of the International Islamic Fiqh Academy (IIFA), delivered the opening speech at the Al Qasimia University Islamic Economics Forum titled “Investment through Electronic Platforms: Applications, Challenges, and Prospects.” The event, organized by the Sharjah Center for Islamic Economics, took place on Wednesday, 28 Dhul-Qi’dah 1445 (5 June 2024) in Sharjah, UAE. Prof. Sano began by thanking the leadership and people of the UAE for their unwavering support for Islamic economics. He expressed special gratitude to His Highness Sheikh Dr. Sultan bin Mohammed Al Qasimi, Member of the Sharjah Islamic Economy Center, Supreme Council Member, and Ruler of the Emirate of Sharjah, for his exceptional dedication to science, culture, heritage, and particularly education, which has earned Sharjah the reputation of being the Emirate of Science, Ideas, Culture, and Heritage. He extended his congratulations to Al Qasimia University, its President H.E. Prof. Jamal Al Tarifi, its Rector H.E. Prof. Awwad Al Khalaf, and H.E. Dr. Yasser Hassan Al Hosani, Director of the Sharjah Center for Islamic Economics, for the university’s progress, particularly

in producing distinguished graduates from various countries and addressing critical applied aspects of Islamic economics. In his speech, Prof. Sano elaborated on the concept of investment in Islamic thought, describing it as the “responsible, conscious, and purposeful use of wealth in economic activities that align with Sharia’s principles and provisions.” He emphasized that investment plays a crucial role in safeguarding wealth, one of Sharia’s primary objectives. He discussed the flexibility, breadth, and adaptability of Sharia’s principles that guide investment activities, ensuring they remain relevant despite rapid advancements and the introduction of new tools and platforms. Prof. Sano highlighted the increasing responsibility of scholars and intellectuals in addressing emerging investment methods and technologies, urging them to provide guidance in light of Sharia’s general objectives. He stressed the importance of collaboration between religious scholars and experts in urban development and finance, given the interconnectedness and complexity of modern investment practices. Regarding the formulation of Sharia-compliant solutions, Prof. Sano emphasized that these should be based on careful consideration of

Sharia’s objectives, rules, and outcomes, alongside insights from finance and economics scholars. He noted that such solutions must align with Sharia’s goals concerning wealth, which include the circulation of wealth, transparency in earning, justice in transactions, and ensuring comprehensive well-being for individuals and society. These principles form the framework that governs investment activities and guide scholars in addressing new methods and tools. Prof. Sano emphasized the importance of relying on collective scholarly *ijtihad* to navigate the complexities of modern investment. He praised the role of the IIFA in this regard, citing Resolution No. 63/1/7, which provides Sharia-compliant guidelines for dealing with stocks and indexes. The resolution outlines the conditions under which stock transactions are permissible, emphasizing that companies must not engage in prohibited activities like usury or unlawful sales. He concluded by discussing the permissibility of investing in stocks and indexes through electronic trading platforms, affirming that such investments are allowable as long as they comply with Sharia’s conditions, such as justice, transparency, mutual consent, and adherence to Sharia’s objectives. Prof. Sano also acknowledged that the forum explored various themes, including investments in digital currencies and forex, contemporary experiments in smart investment applications, and the legal and regulatory challenges posed by electronic trading platforms. The event concluded with a final statement outlining key recommendations from the discussions.





## Secretary General delivers Eid Adha Sermon at IIUM Mosque in Malaysia



On Sunday, 10 Dhu al-Hijjah 1445 (16 June 2024), H.E. Prof. Koutoub Moustapha Sano, Secretary General of the International Islamic Fiqh Academy, delivered the Eid al-Adha sermon at the Sultan Ahmad Shah Mosque of the International Islamic University Malaysia in Kuala Lumpur. In his sermon, Prof. Sano reflected on the difficult circumstances facing the Ummah, stating: "The current reality of the Ummah is heartbreaking and overwhelming, with enemies uniting against it and friends turning away. Its weakness and defeat are unprecedented, its crises are deepening, and its challenges are unrelenting." He emphasized that the remedy lies in returning to the teachings of the Prophet Muhammad (PBUH), who provided timeless solutions for all ailments and crises. Citing a hadith reported by Imam Muslim, Prof. Sano reminded the congregation: "The believers are like one another in their mutual affection, compassion, and sympathy." He further referenced Imam al-Bukhari's narration: "You see the believers in their compassion, solidarity, and sympathy like a body; if one member suffers, the rest of the body suffers." Prof. Sano elaborated, saying: "This noble teaching commands believers to be kind, compassionate, and unified, acting as one body. If any part of the Ummah suffers from crisis or hardship, the rest must rise to support and defend it." He explained that the

body symbolizes the Ummah, with its nations and people represented by the body's members, while the diseases signify the crises of marginalization, backwardness, and division. The cure, he asserted, lies in solidarity, compassion, and sympathy. He further emphasized that these virtues once enabled the Ummah to establish a great civilization admired by nations for centuries. However, the Ummah's abandonment of these values has led to its decline, making it a weak and subjugated nation. Despite the dire situation, Prof. Sano expressed optimism, citing the Quranic promise of a brighter future for the Ummah: "Allah has promised those who have believed among you and done righteous deeds that He will surely grant them succession upon the earth..." (Surat Al-Nour, 55) and "We have already written in the Book after the [previous] mention that the land [of Paradise] is inherited by My righteous servants" (Al-Anbiya, 105). Prof. Sano then described three essential remedies for the Ummah's ailments: 1. Unity and Harmony: This encompasses everything that promotes peace, safety, and cooperation among the Ummah's nations and people, distancing them from hatred, envy, and division. 2. Compassion: This includes all acts of mercy, charity, and righteousness that foster solidarity, interdependence, and kindness among individuals and states, steering them away from cruelty, injustice, and selfishness.

3. Sympathy: This involves standing in solidarity with the oppressed, sharing in the joys and sorrows of the Ummah's people, and defending their rights against injustice and aggression. Prof. Sano emphasized that sympathy prevents indifference to the plight of the Ummah and deters cooperation with oppressors. In his concluding remarks, Prof. Sano called upon the Ummah to adopt these remedies in thought, action, and behavior, urging believers to reject hostility, envy, and division. He stressed the importance of cooperation, solidarity, and unity to end sectarian and ethnic conflicts, and to confront the injustice and aggression inflicted upon the Ummah's people, particularly in occupied Palestine, Gaza, and Jerusalem. Prof. Sano closed the sermon with a heartfelt supplication: "O Allah, to You we complain of their weakness, lack of resources, and the humiliation they face from people. You are the Most Merciful of the merciful, You are the Lord of the oppressed, and You are our Lord. To whom do You entrust them? To a distant person who frowns upon them or to an enemy to whom You have given control over their affairs? If You are not angry with them, then we do not mind, but Your well-being is more expansive for them."



## Secretary General delivers Friday Sermon at Muhammad Al-Amin Al-Sharif Mosque in Nampula, Mozambique



During the inauguration of the Muhammad Al-Amin Al-Sharif Mosque in Nampula, Mozambique, on Friday, 02 Dhul Qi'dah 1445 (10 May 2024), H.E. Prof. Koutoub Moustapha Sano, Secretary General of the International Islamic Fiqh Academy, delivered the Friday sermon. His Excellency based his sermon on the hadith of the Prophet (PBUH), narrated by Abu Dhar (RA): "Take advantage of five before five: your youth before your old age, your health before your illness, your wealth before your poverty, your free time before your work, and your life before your death." Prof. Sano explained the significance of the five phases mentioned in the hadith, emphasizing that these are inevitable stages in life that affect everyone—whether rich or poor, knowledgeable or ignorant, male or female, young or old. He said, "Youth, the phase we are currently experiencing, is a gift from Allah and a trust from Him. It is a time of strength, vitality, and clear-

mindedness, where we are ready to take on life's responsibilities. However, youth is fleeting, and it will be followed by old age, a stage when our abilities decline. Therefore, we must use our youth to prepare for old age, building a foundation that will benefit us when we are no longer capable." He emphasized that youth is the best time to obey Allah, serve Him, and follow the teachings of the Prophet. It is a golden opportunity to build one's future, do good deeds, and seek knowledge, particularly by learning the Quran and the Sunnah. He urged young people to avoid actions that could harm them later in life and stressed the importance of utilizing this phase for personal growth and spiritual development. Addressing the second phase—health before illness—Prof. Sano reminded the congregation that health is a tremendous blessing from Allah. He quoted the Prophet's saying: "There are two blessings in which many people are deceived: health

and free time." Health, whether physical, mental, or emotional, should be used in the service of Allah, and we must be grateful for it. "No matter how healthy we are, illness will come eventually, so we should use our good health to obey Allah and refrain from what He has prohibited, as health is a trust from Him." Prof. Sano also explained the hadith's reference to wealth before poverty, citing the Quranic verse: "Wealth and children are but adornments of the worldly life. But the enduring good deeds are better to your Lord for reward and better for [one's] hope." He stressed that wealth is a blessing from Allah, and on the Day of Resurrection, we will be questioned about how we earned and spent it. Gratitude for wealth should be shown by fulfilling the obligations Allah has placed upon it, particularly by paying Zakat. The sermon then touched on the importance of using one's free time before becoming busy. Prof. Sano urged people to use their free time in obedience to Allah, filling it with remembrance of Him and staying away from harmful activities such as gossip, backbiting, and deceit. He reminded the audience that death is inevitable and will come for everyone, regardless of their status or circumstances. He quoted the Quran: "Indeed, you are to die, and indeed, they are to die," and "We did not grant to any man before you eternity [on earth]; so if you die – would they be eternal?" In conclusion, Prof. Sano called on everyone to prepare for the Day of Judgment with good deeds, obedience to Allah, and by avoiding forbidden actions. The sermon was well-received by the audience, who appreciated its profound message.

## 42nd Monthly Meeting of Academy Personnel



H.E. Prof. Koutoub Moustapha Sano, Secretary General of the Academy, presided over the 42nd monthly meeting of the Academy's personnel on Sunday, 24 Dhul Hijja 1445H, corresponding to June 30, 2024, at the Secretariat General's headquarters in Jeddah. His Excellency opened the meeting by

welcoming the participants and offering prayers for the mother of His Majesty King Mohammed VI of Morocco, asking Allah to grant her mercy, forgiveness, and eternal rest. He then shared the news of the approval to hold the symposium on "Farmed Meats and Modified Foods of Animal Origin," urging all departments and divisions to begin preparations for the scientific event, which is scheduled for the end of September. He stressed the importance of continuous collaboration and coordination between departments to ensure the symposium's success. His Excellency also invited employees to

share their views and suggestions regarding the Academy's work. After listening to their input, several decisions were made, including:

- Personal leave requests should be approved by direct managers and documented with the Administrative Affairs Department.
- The Administrative Affairs Department should avoid approving leave for all employees within the same department simultaneously, ensuring at least one employee remains to maintain workflow.
- Researchers whose work has been accepted should be reminded to submit a two-page summary of their research presentation.



## 129th Weekly Departments Meeting

H.E. Prof. Koutoub Moustapha Sano, Secretary General of the Academy, presided over the 129th weekly meeting of the departments on Monday, 03 Muharram 1446H corresponding to 08 July 2024, at the Secretariat General's headquarters in Jeddah. His Excellency opened the meeting by welcoming the participants and congratulating colleagues on their new departmental leadership appointments. He expressed confidence that these appointments would contribute to achieving positive results and furthering the Academy's mission. He encouraged all staff to take advantage of the opportunities for mobility between departments to enhance their knowledge, skills, and experience.



Prof. Sano also updated the meeting on the official approval for the Livestock Meat Symposium, scheduled for September. He stressed the importance of reviewing the research papers submitted for the symposium to ensure that they comprehensively address the topics outlined in the symposium's agenda. Additionally, he emphasized

the need to identify any gaps in the research and consider inviting experts and specialists to contribute to these areas. The meeting then reviewed previous decisions and made several new ones, including:

- Incorporating the recommendations from the Livestock Meat Symposium into the agenda for the next session
- Obtaining quotes for media coverage of the symposium and assessing the associated costs.
- Proposing five topics for research to be suggested to the General Presidency of the Two Holy Mosques Affairs for potential conferences.

## 60th Periodic Meeting of Divisions



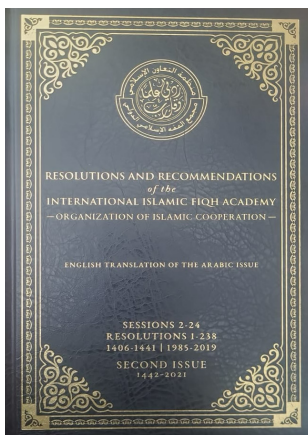
H.E. Prof. Koutoub Moustapha Sano, Secretary General of the Academy, presided over the 60th periodic meeting of divisions on Monday, 03 Muharram 1446H, corresponding to July 8, 2024, at the Secretariat General's headquarters in Jeddah. His Excellency opened the meeting by welcoming the

participants and congratulating those newly appointed to lead the divisions. He expressed that these appointments would contribute to achieving positive outcomes and advancing the Academy's goals. He also encouraged all staff to benefit from the opportunity of rotating between divisions to enhance their knowledge and expertise. His Excellency further discussed the official approval for the Livestock Meat Symposium scheduled for September. He emphasized the importance of reviewing the submitted research papers to ensure all key themes are adequately addressed and suggested examining any topics that may not have

been covered by the researchers. He also proposed involving additional experts and specialists to contribute where necessary. The meeting reviewed previous decisions and made several new ones, including:

- Presenting the recommendations from the Livestock Meat Symposium at the next session.
- Obtaining and evaluating quotes for media coverage of the symposium.
- Proposing five topics for research to the General Presidency of the Two Holy Mosques Affairs for potential future conferences.

## 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 humanity that will remain forever on earth.



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. 93 (1/10) Invalidators of Fasting in Medical Treatments

The Council of the International Islamic Fiqh Academy of the Organization of the Islamic Conference, holding its 10th session in Jeddah, Kingdom of Saudi Arabia, on 23–28 Šafar 1418h (28 June – 3 July 1997),

Having examined the research papers submitted to the Academy concerning the Invalidators of Fasting in Medical Treatments,

Having reviewed the recommendations of the 9th Medical Fiqh Symposium organized by the Islamic Organization for Medical Sciences of Kuwait, in cooperation with the Academy and other institutions, held in Casablanca, Kingdom of Morocco on 9–12 Šafar 1418h (14–17 June 1997),

Having listened to the discussions on the subject with the participation of Fiqh scholars and medical specialists,

Having considered the legal proofs of the Quran, the Sunnah and the opinions of Fiqh scholars,

Resolves

First: The following substances do not invalidate fasting

1. A drop in the eye or the ear, ear washing, nasal drop or spray as long as the substance reaching the throat is not swallowed.
2. Tablets placed under the tongue to treat chest angina or another illness, provided nothing is swallowed.
3. Anything introduced into the uterus, be it suppositories, lotion, uretero-

scope or pelvic examination.

4. Entering a ureterscope into the uterus, an intra-uterine device (IUD) or any other similar device.

5. Anything entered into the urinary tract of a man or a woman: probe, ureterscope, radiopaque substances, liquid for bowel

6. Tooth removal or cleaning teeth with a toothpick, a toothbrush or a miswak, provided nothing is swallowed.

7. Mouthwash, gargle, mouth-spray, provided nothing is swallowed.

8. Subcutaneous, intramuscular, or intravenous injections, excluding any perfusions and injection of nutritious fluids (serums).

9. Oxygen

10. Anesthesia by vaporization, provided nutritious fluids are not injected to the patient.

11. Anything penetrating the body through the skin, like creams, ointments or cutaneous patches containing medicinal or chemical substances.

12. Introduction of catheter for coronagraphs of heart vessels or other

13. Fibroscopy by laparoscopy to examine the intestines for

14. Biopsy of the liver or other organs without addition of liquids (fluids) or other substances.

15. Fibroscopy or gastroscopy without addition of liquids or other

16. Entering any instrument or substance into the brain or spinal cord for

17. Involuntary vomiting, other than deliberate vomiting.

Second:

The Muslim doctor should recommend to his or her patient to postpone any of the above-mentioned treatments until breaking fast, should such a delay do no harm to his or her health.

Third:

To postpone issuing a resolution on the below-mentioned cases pending further study and research regarding their effect on fasting, focusing the aḥādīth of the Prophet SAW and the accounts of his

Companions RA in regard to their rulings.

1. Bronchodilatory vaporization and inhalation of medicinal sprays.

2. Hijama (phlebotomy) and safd (bloodletting).

3. Blood sampling for analysis and blood transfusion (for the donor as well as for the receiver).

4. Peritoneal hemodialysis, which involves placing a tube into the abdomen to inject an appropriate ionic solution to replace the blood ions (through the peritoneum) or from artificial kidneys.

5. Entering anything into the anus such as rectal injection, suppositories, rectoscopes or rectal exams during a medical consultation.

6. Surgery under general anaesthesia, when the patient has previously declared his or her intention to fast and has not received any solution or nutritious

Indeed, Allāh is All-Knowing.

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### Resolution No. 94 (2/10) Human Cloning

The Council of the International Islamic Fiqh Academy of the Organization of the Islamic Conference, holding its 10th session in Jeddah, Kingdom of Saudi Arabia, on 23–28 Šafar 1418h (28 June – 3 July 1997),

Having examined the research papers concerning Human Cloning,

Having reviewed the recommendations of 9th Medical Fiqh Symposium organized by the Islamic Organization for Medical Sciences of Kuwait, in cooperation with the Academy and other institutions, held in Casablanca, Kingdom of Morocco on 9–12 Šafar 1418h (14–17 June 1997),

Having listened to the discussions on the subject with the participation of Fiqh scholars and medical specialists,

Concludes

Preamble

Allāh the Almighty has created the human being in the best of his/her form and has surrounded him/her with His Generosity. Hasn't the Almighty said, «We have honored the sons of Adam, provided them with transport on land and sea, given them for sustenance the best and purest and conferred on them special favors above a great part of our Creation.» (al-Isrā', 70)?

Allāh the Almighty has endowed man with a spirit, has honored him by making him responsible, has made him His regent on earth, has allowed him to build this planet and has honored him by entrusting him with a mission compatible with his nature – this indeed is man's very nature. The Almighty has said, «So direct your face toward the religion, inclining to truth. [Adhere to] the fitrah of Allāh upon which He has created [all] people. No change should there be in the creation of Allāh. That is the correct religion, but most of the people do not know.» (al-Rūm, 30)

Islam insists on the necessity of preserving man's innate nature, by maintaining the five universal principles: religion, life, reason, progeny and property; and also by protecting man from any corruptive modification both at the level of causes and consequences, as witnessed by the following a ḥadīth qudsī as quoted by al-Qurṭubī from the narration of al-Qāḍī Ismā'īl, "I have created my servants all pure, but the Devils have come to deviate them from their religion... and ordered them to change my creature." (Tafsīr al-Qurṭubī, 5/389)

Allāh the Almighty has taught man what he ignored and ordered him to research, observe, think, and meditate. In many verses of the Holy Quran, Allāh the Almighty calls out man: «Don't they see?», «Don't they look out?», «Doesn't man see that We created him from a drop of sperm?», «these are signs for those who understand», «this is a reminder for the conscious-minded», «Read! In the Name of Your Lord Who has created man from a clot.»

Islam does not place any obstacle or obstruction to the freedom of scientific research that constitutes a mean to discover the system established by Allāh the Almighty in His creation.

Nevertheless, Islam stresses that the door cannot be left wide open without norms to the generalized implementation, without limit, of the results of scientific research, without examining them closely in the light of Shariah to authorize what is lawful and prohibit what is not. It is not allowed to apply a discovery just because such an application is technically possible. It has to be a useful science serving public interest and protecting people from harms. Science must respect human dignity, its place in the world and the purpose for which the Almighty Allāh has created him. Man should never be a field for experimentation. In any way, should his identity, his specificity and his particularity be violated. Science should neither shake the stability of social structure, nor destruct the foundation of parenthood, marriage links and family structures as they have been known through the history of mankind and preserved by the Divine Law on sound and strong bases set by the Almighty. One innovation of our time concerns a topic that has focalized public attention worldwide, through the mass media, which is "Cloning." It was therefore necessary to let people know the rulings of Shariah on this issue, after having it studied, in all its details, by an elite group of Muslim experts, scientists, and scholars specialized in this field.

#### Definition of Cloning

It is generally known that the order set forward by Allāh stipulates that any human being created is the result of the encounter between a spermatozoid and an ovule which nucleus contains a number of chromosomes equal to half the number of chromosomes contained in the cells of the human body. When the spermatozoid of the father (the husband) unites with the ovule of the mother (wife), the result transforms into an embryo containing a complete genetic map and capable of reproducing itself. Once it fixes itself in the mother's womb, this embryo gradually develops to become a complete being that will be borne by the will of Allāh. Thus, the initial cell divides itself into two identical cells, then four, then eight, and so on, until reaching the stage of determining the differentiation of the embryonic being.

If one of the cells of the embryo divides itself into two identical parts, we obtain identical twins. Such an experience has been possible with some animals and has resulted in giving birth to identical twins. This operation has been considered as a form of cloning or procreation, inasmuch as it yields identical copies or species. This technique has been called "cloning by division."

There is another method of cloning a fully-grown being. It consists in taking the nucleus of a cell containing the complete DNA of a subject and injecting it into an enucleated ovocyte. A new embryo containing a complete DNA and capable of reproducing itself is therefore created. Implanted into the uterus, the embryo develops, reaches its full shape and becomes a living being, given birth fully constituted, by the will of Allāh the Almighty. This type of cloning, known as "nuclear transfer" or "nucleus replacement," is called "cloning," and it has led to the birth of the ewe "Dolly," but this new creature is not an identical copy of the original because the enucleated ovule of the mother still contains remains of the nucleus in the area surrounding the removed nucleus. These remains have a noticeable effect on the transformation of the characteristics inherited from the cell. At our knowledge, such an experience has not yet been applied to human being. Cloning is therefore giving birth to one or several living beings, either by transplanting the nucleus of a cell into an enucleated ovule or by dividing a fertilized egg before the tissues and limbs differentiation stage.

No one ignores that such operations do neither constitute a total creation, nor a partial one. Allāh the Almighty has said, «Or do they assign to Allāh partners who have created (anything) as He has created, so that the creation seemed to them similar? Say: Allāh is the Creator of all things: He is the One, the Supreme and Irresistible.» (al-Ra'd, 16)

Allāh the Almighty also said, «Have you seen that which you emit? Is it you who creates it, or are We the Creator? We have decreed death among you, and We are not to be outdone. In that We will change your likenesses and produce you in that form which you do not know.

And you have already known the first creation, so will you not remember?» (Al-Wāqī'ah, 58–62)

And the Lord also said, «Does man not consider that We created him from a [mere] sperm-drop – then at once he is a clear adversary? And he presents for Us an example and forgets his own creation. He says, “Who will give life to bones while they are disintegrated?” Say, “He will give them life who produced them the first time; and He is, of all creation, Knowing.” [It is] He who made for you from the green tree, fire, and then from it you ignite. Is not He who created the skies and the earth Able to create the likes of them? Yes, [it is so]; and He is the Knowing Creator. His command is only when He intends a thing that He says to it, “Be,” and it is.» (Yāsin, 77–82)

The Almighty also said, «And certainly did We create man from an extract of clay. Then We placed him as a sperm-drop in a firm lodging. Then We made the sperm-drop into a clinging clot, and We made the clot into a lump [of flesh], and We made [from] the lump, bones, and We covered the bones with flesh; then We developed him into another creation. So blessed is Allāh, the best of creators.» (Al-Mu'minūn, 12–14)

Based on the studies, discussions, and Shariah principles previously presented, The Academy resolves

1. It is prohibited to clone a human being as in the two cases mentioned above or by any other method that results in the multiplication of human
2. In case of violation of Shariah rulings underlined in the first paragraph, consequences of such acts should be brought to the Academy's notice to clarify Shariah rulings concerning them.
3. Are prohibited all cases implying the intervention of a third party in the procreation process, whether a uterus, an ovule, a spermatozoid, or a body cell for cloning.
4. It is permissible in Shariah to use cloning techniques and genetic engineering in the fields of microbiology, botany and zoology, and thus within the norms prescribed by Shariah, in order to serve general interest and prevent evil consequences.
5. Call on Muslim countries to

adopt laws and regulations to close all direct and indirect channels to local or foreign institutions, research institutes and foreign experts so as to prevent them from using Muslim countries as experimentation fields for the propagation of cloning.

6. The Academy and the Islamic Organization for Medical Sciences of Kuwait shall jointly monitor the issue of cloning and any new discovery in this field, and shall establish the terminology of cloning and organize seminars and meetings to clarify Shariah rulings regarding this subject.

7. Calling for the creation of specialized committees composed of experts and Fiqh scholars, to establish the rules of ethics in the field of biological research to be adopted in Muslim countries.

8. Calling for the creation and strengthening of scientific institutions and centers dealing with biological and genetic research, but in field other than human cloning, in compliance with Shariah rules, so that the Muslim world would not be remain in a state of dependency in this field.

9. Devoting the handling of scientific discoveries from an Islamic perspective and calling the media to adopt godly and faithful positions regarding these issues, and to avoid using these discoveries in ways that are contrary to Islam, as well as making public opinion aware of the right to verify information before any taking any decision, as required by the Almighty Allāh who said, «And when information about safety or fear comes to them, they spread it, but if they had referred it to the Messenger or to those in authority among them, then those who can draw correct conclusions would have known about If it were not for Allāh's favor upon you and His mercy, you would have followed Satan, except for a few.» (Al-Nisā', 83)

Indeed, Allāh is All-Knowing.

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## Resolution No. 95 (3/10) Animal Slaughters

The Council of the International Islamic Fiqh Academy of the Organization of the Islamic Conference, holding its 10th session in Jeddah, Kingdom of Saudi Arabia, on 23–28 Šafar 1418h (28 June – 3 July 1997),

Having examined the research papers submitted to the Academy concerning Animal Slaughters,

Having listened to the discussions on the subject with the participation of Fiqh scholars, medical and nutrition specialists, Having recalled that animal slaughtering is one of the issues subject to Shariah rulings confirmed by the Quran and the Sunnah,

Having considered that observing these rulings is part and parcel of the respect towards Islamic rites and symbols distinguishing Muslims from non-Muslims, as the Prophet SAW said, “He who does his prayer as we do; who turns his face as we do towards the Qibla, who eats the meat of the animal we have slaughtered, is a Muslim and enjoys the protection of Allāh and His Prophet,” Resolves

First: The lawful slaughter of an animal is performed in one of the following methods:

1. Cutting the animal's throat (Dhabh): it consists of cutting the esophagus, the two jugular veins, and the pharynx of the This is the method preferred by Shariah for slaughtering cattle, sheep, goats, and poultry. It is also permissible for other animals.

2. Plunging a knife in the base of the neck (Naḥr): This is the method preferred by Shariah for slaughtering camels and similar animals. This method is also permissible for the cattle.

3. Wounding ('Aqr): it consists in wounding an animal when there is no other choice, at any part of the body. This method is applied for wild animals hunting of which is lawful, or ferocious domestic If the animal is captured alive, it should be slaughtered using the first or the second method.

Second: The lawful slaughter of an animal is subject to the following conditions:



1. The person performing the slaughter must be of appropriate age and enjoying full mental faculties; he must be a Muslim or belonging to the People of the Book (Jews or Christians). It is not permissible to eat the meat of an animal killed by pagans, atheists, non-believers, Magus, apostates, or any other disbelievers, at the exception of the People of the

2. The slaughtering must be performed with a sharp cutting instrument, either made of steel or other metal, capable of making the blood spurt, at the exception of teeth and fingernails which should not be used.

It is prohibited to eat the meat of animals killed by suffocation, or knocked out with a blunt object (stone, stick, etc.), or killed after a dead-ly fall from an elevated spot or in a ravine or after receiving a blow from the horn of another animal, or the remains of an animal devoured by wild animals or birds of prey not trained for hunting. Nevertheless, if the animal is captured alive, then slaughtered, it is lawful to eat it.

3. The person performing the slaughter must invoke the Name of Allāh at the beginning of the operation. The use of a recorded Tasmiya (invocation of the Name of Allāh) cannot replace this act, but if the person performing the slaughter forgets to invoke the Name of Allāh, the meat of the slaughtered animal is indeed lawful for consumption.

Third: The slaughter of an animal should be performed in accordance with the rules of ethics prescribed by Shariah, like being merciful and gentle towards the animal, before, during and after the slaughter. The sharpening of the instrument should not be done in front of the animal. An animal should not be slaughtered in front of another animal. It is forbidden to kill an animal with a non-sharpened instrument. The animal to slaughter should not be tortured. No part of its body should be cut off and it should not be skinned, or thrown into boiling water, or plucked, before one makes sure it is completely dead.

Fourth: The animal to be slaughtered must be free from any contagious disease that would alter the consistency of its flesh and be harmful to the consumer's health. This sanitary requirement is

imperative concerning the meat sold on the marketplace or imported.

Fifth:

1. The lawful slaughter must, in principle, be carried out without stunning the animal, as the Islamic method, by its requirements and ethics, is the best because it is more merciful towards the animal and shortens its suffering. Therefore, competent authorities are called upon to develop the means and instruments to be used for the slaughter of large animals, so as to fully comply with these requirements.

2. While complying with the provisions of the above paragraph, it is permissible to consume the meat of a lawfully slaughtered animal after it has been stunned, if it is technically certified that the animal did not die from this operation before its slaughter. This procedure is defined by Muslim experts as follows:

1. Application of two electrodes on the temples or the animal's forehead or nape.

2. The voltage should be between 100 and 400

3. The electric power should be between 75 to 1 ampere for sheep and between 2 and 2.5 amperes for cattle.

4. The electrical shock should last 3 to 6

5. It is prohibited to knock out the animal with a needle gun, an axe, a hammer or by inflating it as in the English method.

6. It is prohibited to stun poultry with electric shocks, as experience has shown that many animals die before slaughter with this

7. It is not prohibited to consume the meat of an animal lawfully slaughtered after stunning it by using a mixture of carbon dioxide and air or oxygen or by using a round-headed gun that would not cause the death of the animal before

Sixth: Muslims living in non-Muslim countries must strive, through legal ways, to obtain permission to slaughter animals following the Islamic method, without stunning.

Seventh: Muslims travelling abroad or living in a non-Muslim country are allowed to consume the meat of lawful animals slaughtered by the People of the

Book, after making sure it is free from any forbidden material. However, this meat is prohibited if it is proved that the animal has not been slaughtered according to the Islamic method.

Eighth: The slaughter of poultry or other animals should – in principle – be performed manually with the butcher's hand; however, it is not prohibited to use mechanic instruments for slaughtering poultry if conditions prescribed in paragraph (2) above are met. It is also permissible to invoke the Name of Allāh once before the slaughtering of several animals, provided that there is no interruption in the process. If the operation is interrupted, the invocation should be repeated.

Ninth:

1. If meat is imported from countries where the majority of the population is from the People of the Book and where animals are killed in modern slaughterhouses, following one of the lawful methods and abiding by the Shariah conditions in this regard in Paragraph (2), then their consumption is lawful, in compliance with the Divine Words, «The food of the People of the Book is lawful to » (Al-Mā'idah, 6)

2. The meat imported from countries where the majority of the population does not belong to the People of the Book are forbidden since there is a strong suspicion that the slaughter of the animals has been carried out by an unauthorized person in the regard of Shariah.

3. The consumption of meat imported from countries defined in the above paragraph (2) is permissible only if a certified Islamic institution supervises the slaughtering process and if the person operating is a Muslim or from the People of the

Recommendations

1. Call upon the governments of Muslim countries to approach the authorities of non-Muslim countries where Muslims live, in order to offer the Muslim community, the possibility of slaughtering animals using the Shariah-compliant method, without stunning.

2. In order to eliminate all problems related to the importation of meat from non-Muslim countries, it is necessary to implement the following

measures:

1. To develop livestock production in Muslim countries to achieve self-sufficiency in this field.
2. To rely, to the extent possible, on importing meat only from Muslim
3. To import live animals and slaughter them according to the Islamic method, to ensure that the Shariah conditions are fully
4. To request the Organization of the Islamic Conference to establish a unified Islamic Authority to undertake control operations over imported meats, thus creating an institution entrusted with the elaboration of detailed rules specifying Shariah requirements for slaughter, and to carry out control and supervision directly on site, with the assistance of experts in Shariah and technicians. A distinctive trademark registered and protected internationally by law should be stamped on the meat certified by this authority.
5. To endeavor making the institution mentioned in paragraph (d) the only authority entrusted with this control task and to call upon Muslim countries to recognize this exclusive
6. Pending the implementation of the recommendation contained in paragraph (d) above, meat importers and exporters are requested to commit themselves to full compliance with the Shariah conditions for slaughtering any animal intended for consumption in Muslim countries, in order to prevent Muslims from falling into prohibited acts by resorting to effortless solutions and importing meat without ensuring at the outset that the animal has been slaughtered in accordance with Shariah. Indeed, Allāh is the Giver of success.

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## Resolution No. 96 (4/10) Credit Cards

The Council of the International Islamic Fiqh Academy of the Organization of the Islamic Conference, holding its 10th session in Jeddah, Kingdom of Saudi Arabia, on 23–28 Šafar 1418h (28 June – 3 July 1997), Having examined the research papers submitted to the Academy concerning Credit Cards, Having listened to the discussions on the subject with the participation of Fiqh scholars and economists, Resolves

1. Entrust the Secretariat General of the Academy with making an on-site inventory of the various conditions and conventions relating to cards issued by banks.
  2. Establish a committee to study the types of bank cards to identify their characteristics and their differences, and to define their Shariah characterization, and this, after collecting enough data on cards issued by banks in the Arab, Muslim and other countries.
  3. Organize a seminar to discuss this topic, in light of the previous preparations, in order to prepare comprehensive and thorough conclusions to be submitted at the next session of the
- Recommendations
1. To emphasize the necessity to reformulate economic terminology regarding this subject and the Shariah purposes concerning lawful and unlawful transactions, according to their proper realities and in full transparency with regard to their content. In this regard, it is necessary to give preference to existing terms in Shariah terminology, in order to consecrate their form and content, especially the terminology likely to have a Shariah jurisprudential impact, and thus in order to rectify the economic terminology and harmonize it with Fiqh terminology, drawing from the heritage of the Ummah and its Shariah concepts.
  1. To insistently urge competent authorities in Muslim countries to forbid banks from issuing usury-based credit

cards, in order to protect the Ummah from the risks inherent in usury and to preserve national economies and individual properties.

2. To establish a Shariah-based economic and financial authority to protect people from exploitation by banks and to safeguard their rights in accordance with Shariah provisions and financial policies, and to protect national economies and introduce carefully defined regulations intended to protect society from banks' exploitation as well as to protect the Ummah from the negative effects of their

Indeed, Allāh is the Giver of success.

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## Resolution No. 97 (5/10) The Role of Muslim Women in Development

The Council of the International Islamic Fiqh Academy of the Organization of the Islamic Conference, holding its 10th session in Jeddah, Kingdom of Saudi Arabia, on 23–28 Šafar 1418h (28 June – 3 July 1997), Having reviewed the recommendations on the Role of Muslim Women in Development, Having listened to the discussions on the subject, Resolves

To entrust the Secretariat General of the Academy to establish a committee for examining the recommendations concerning the Role of Muslim Women in Development, and to submit their results to the next session of the Academy.

Indeed, Allāh is the Giver of success.

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**ISSUE No. 47**





## OIC Secretary-General Praises IIFA's Efforts in Promoting Interfaith Dialogue and Islamic Values



On Thursday, 8 August 2024 (04 Safar 1446), H.E. Mr. Hussein Ibrahim Taha, Secretary-General of the Organization of Islamic Cooperation (OIC) and Chairman of the IIFA Bureau, chaired the Bureau's first meeting of 2024 via videoconference. Distinguished attendees included H.E. Sheikh Dr. Saleh bin Abdullah bin Humaid, Advisor to the Saudi Royal Court, Member of the Council of Senior Scholars, Imam-Khatib at the Makkah Grand Mosque, and President of the Academy; H.E. Prof. Koutoub Moustapha Sano, Secretary-General of the Academy; and other prominent Bureau members such as H.E. Dr. Abubakar Doukouri, H.E. Dr. Tijani Saboon, H.E. Dr. Ajil Jassim Al-Nashimi, H.E. Dr. Ahmed Abdulaziz Al-Haddad, H.E. Qadi Muhammad Taqi Usmani, and H.E. Dr. Murtaza Badr. The Secretary-General of the OIC warmly welcomed the Bureau members, expressing gratitude for their continued support. He commended Sheikh Dr. Saleh bin Abdullah bin Humaid for his leadership, which has helped the Academy advance its objectives. Special recognition was also given to Prof. Koutoub Moustapha Sano for his outstanding efforts in furthering the Academy's mission, especially through initiatives that foster interfaith dialogue and promote the Islamic principles of peace, tolerance, and justice. Sheikh Dr. Saleh bin Abdullah bin Humaid thanked the Secretary-General and

members for their commitment, expressing, on behalf of the Academy, sincere appreciation to the Custodian of the Two Holy Mosques, King Salman bin Abdulaziz Al Saud, and His Royal Highness Crown Prince Mohammed bin Salman, for their ongoing patronage of the Academy. He also highlighted Qatar's Amiri approval to host the 26th Session of the Academy in Doha. Prof. Koutoub Moustapha Sano extended his gratitude to the Saudi leadership for their unwavering support, which has facilitated the Academy's programs and activities. The meeting proceeded to review the agenda, which included the approval of the minutes from the previous Bureau meeting and a discussion of Memorandums of Cooperation (MoCs) signed with various religious and scientific institutions across OIC Member States from Jumada Al-Akhira 1445 to Muharram 1446. Further, the

meeting addressed nominations for new Council members, approving the following representatives: Dr. Hisham Ben Mahmoud (Tunisia), Mr. Tariq Abdullah (Mozambique), H.E. Dr. Mohamed Shahim Ali Saeed (Maldives), and Sheikh Nuruddin Khaliq Nazif (Uzbekistan). A financial report on Member States' contributions to the Academy's budget was also presented. In closing, the President of the Academy and Bureau members expressed their appreciation for the significant achievements of the Secretariat General, particularly in securing payment of outstanding contributions by several countries. They urged all Member States to continue their financial support. The meeting was also attended by Dr. Abdulfatah Abnauf, Director of the Planning, Development, and International Cooperation Department, and Mr. Saad Essemmar, Head of the Media Department.

### Asian Group



Shaykh Mohamed Taqi Usmani



Prof. Murteza Bedir

### Arab Group



Dr. Ajil Al-Nashemi



Dr. Ahmed Al-Haddad

### African Group



Dr. BMurteza Doukouré



Dr. Saboun Tidjani

## The erosion of moral values in the contemporary world order has led to the Zionists killing Palestinians without facing any deterrent



His Excellency Professor Emeritus Koutoub Moustapha Sano, Secretary General of the International Islamic Fiqh Academy of the OIC, participated in the 9th International Conference of the World Fatwa Authorities, titled "Fatwa and Ethical Construction in a Rushing World." Held in Cairo on 29-30 July 2024 (23-24 Muharram 1446), the conference focused on the role of ethics in an increasingly turbulent world. Representing the Secretary General of the OIC, H.E. Hussein Taha Ibrahim, Prof. Sano extended greetings from OIC leadership and expressed appreciation to H.E. President Abdel Fattah Al-Sisi, the Egyptian government, and the Egyptian people for their hospitality and continued support. He praised the significance of the conference, taking place at a time of rapid shifts in global thought, values, and behaviour. In his address, Prof. Sano highlighted the severe ethical challenges facing humanity, pointing out that the moral decline of the global system has directly contributed to conflicts, wars, and the suffering of innocent women and children. He stressed that the Muslim Ummah's strength in the face of such challenges lies in uniting around ethical principles, which have always been the foundation of progress, development, and peace. Reflecting on history, he emphasized that Islam spread across the world not by

force but through its high moral values, which attracted people to the faith. He warned that the collapse of civilizations has always followed the deterioration of morals, as ethics and integrity are the lifeblood that sustains societies. Prof. Sano expressed concern over the increasing disregard for morals today, citing examples such as the recent controversies surrounding the Paris Olympics, which he described as reflective of widespread moral decay. He linked this ethical erosion to the international community's indifferent response to the ongoing suffering of Palestinians, where Zionist occupiers continue to murder children, starve civilians, and commit acts of aggression against women and elders. He condemned the bombing of hospitals, schools, and places of worship, describing these atrocities as enabled by the absence of moral values among the world's dominant powers. Renewing the OIC's call for action, Prof. Sano urged the international community to unite in putting an end to the decades-long occupation and the injustices endured by the Palestinian people. He appealed to global institutions, including Al-Azhar, to work together to promote ethics and values, particularly among younger generations, through educational reforms and the strengthening of moral principles in school curricula. He concluded

by congratulating Egypt, particularly the Egyptian Dar al-Ifta, for hosting this important conference. He called on Fatwa boards and religious authorities worldwide to emphasize the importance of high morals in achieving national progress and stability, expressing confidence in the certainty of Allah's promise for victory over oppression and tyranny "On that day, the believers will rejoice in the victory of the Almighty," he said, quoting from the Qur'an. To close, Prof. Sano recited a poem by Ahmed Shawqi, which underscored the essential role of morals in shaping the destiny of individuals and nations: "Your character shapes your fate; Straighten your morals, and your soul will be straight. A nation can not stand if morals decay; When they are lost, mourn the day. If people's morals fall apart, Build no more; they've lost their heart. You laid a foundation, strong and sure, But they betrayed it, so it endures no more. Once revered, now stripped of awe, For morals are what command respect and law. When morals guide, hands reach the stars; People thrive by the light of their guiding stars. Nations last while morals stay; If they vanish, nations fade away."



## IIUM Confers Alumni Icon Award on Secretary General of the Academy



In recognition of his outstanding achievements across the scientific, administrative, and political spheres since earning his Ph.D. in Law from the Faculty of Law at the International Islamic University Malaysia (IIUM) three decades ago, His Excellency Professor Emeritus Koutoub Moustapha Sano, Secretary General of the International Islamic Fiqh Academy, has been honored with the prestigious Alumni Icon Award. This award acknowledges his contributions in promoting IIUM's vision and mission both locally and internationally. During his 16 years of teaching at the University, he supervised numerous master's and doctoral theses and held several important positions, including Deputy Rector for International Relations and Innovations. He also played a key role in establishing various institutes, including the Global Institute for the Unity of the Ummah. Following his return to his home country, His Excellency continued to distinguish himself, holding several high-level national positions such as Minister of Religious Affairs, Minister of International Cooperation and African Integration, Minister of State at the Presidency for Diplomatic Affairs, and Diplomatic Advisor to the President of the Republic of Guinea. During this time, he earned the distinction of being named Best Minister. Additionally, he has made notable contributions to literature, having published nearly thirty books on various topics including thought, education, language, usul al-fiqh, Islamic economics, and politics. Recently, he was honored with

the Doha Arab Book Award. In light of these accomplishments, IIUM conferred the Alumni Icon Award, which is presented annually to the most distinguished graduate or affiliate of the University who exemplifies success and serves as a role model. The award was presented by His Excellency Tan Sri Syed Shamsuddin, President of IIUM, on

Tuesday, 17 Muharram 1445 (July 23, 2024), at the Great Hall of Cultural Activities in Kuala Lumpur, in the presence of university faculty and staff. His Excellency expressed his deep gratitude for the honor, noting that it added to the recognition he had received a few months earlier when Her Majesty the Queen of Malaysia conferred upon him an honorary professorship. He also expressed his appreciation for the Malaysian leadership and people, as well as for the University, reflecting on his journey there three decades ago as a lecturer and doctoral student at the Faculty of Revealed Knowledge. In closing, he extended his heartfelt thanks to the late former directors Dr. AbdulHamid AbuSulaiman and Prof. Muhammad Kamal Hassan, may Allah have mercy on them, as well as to Prof. Syed Arabi, Prof. Zulaykha Kamaruddin, and Prof. Zulkifli Abdul Razak, the current rector, may Allah bless them.



## Ambassador Abdelaziz Branly Oupolo Bids Farewell to the Secretary General

His Excellency Ambassador Abdelaziz Branly Oupolo, Consul General of the Republic of Gabon in Jeddah, made a courtesy visit to His Excellency Prof. Koutoub Moustapha Sano, Secretary General of the International Islamic Fiqh Academy (IIFA), on Tuesday, 26 Dul Hijjah 1445, corresponding to 2 July 2024, at the Academy's headquarters. During the visit, Ambassador Oupolo expressed his heartfelt thanks and deep appreciation to the Secretary General for the warm reception. He noted that this visit marked his final visit to the Academy as Consul General, as his official term in Jeddah was coming to an end. He specifically came to bid farewell and to express his admiration for the significant changes and developments the Academy has undergone during the three years of Prof. Sano's leadership. He commended the Secretary General's



dedication and vision in unifying the Ummah's voice, promoting accurate Islamic concepts, and advocating for the values of moderation. The Ambassador also expressed his hope to strengthen cooperation and communication between the Secretariat General of the Academy and the Republic of Gabon, especially with Gabon's Islamic Council. He further pledged his readiness to offer full support and services to ensure the success of the Academy's various programs and projects. In response, His Excellency Prof. Sano welcomed the Ambassador and thanked him for his visit, which reflected the strong relationship and collaboration between Gabon and the Academy. He wished the Ambassador success in his new role as Gabon's Ambassador to the Kingdom of Morocco, and added, "This visit highlights the genuine commitment to

enhancing cooperation between the Academy and the scientific and religious institutions in the Republic of Gabon." The Secretary General expressed his sincere gratitude to the Ambassador for his unwavering support and assistance during his tenure in Jeddah, noting the positive impact and fond memories he had left with everyone who worked with him. He also regretted the Ambassador's departure but wished him continued success in his new position in Morocco. The meeting was attended by Dr. Abdulfatah Mahmoud Abnauf Ahmed, Director of Planning, Development, and International Cooperation; Mr. Muhammad Walid Al-Idrissi, Director of Media, Public Relations, and Information and Communication Technology; and Dr. Alhagi Manta Drammeh, Head of International Cooperation and External Relations Division.



## SESRIC Director General Visits the Academy

Her Excellency Mrs. Zahra Zamard Selcuk, Director General of the OIC's Statistical, Economic, and Social Research and Training Center (SESRIC) in Turkey, visited the headquarters of the International Islamic Fiqh Academy (IIFA) in Jeddah on Wednesday, 26 Dhu'l-Hijjah 1445, corresponding to 3 July 2024, during her official visit to Saudi Arabia. She was warmly received by His Excellency Prof. Koutoub Moustapha Sano, Secretary General of the Academy. During the visit, H.E. Selcuk expressed her pleasure in visiting the Academy and thanked the Secretary General for the gracious reception. She emphasized her desire to strengthen the cooperation and partnership



between SESRIC and the Academy, stating, "The Academy and our center can enhance collaboration in areas of common interest, including but not limited to supporting girls' education and women's empowerment in OIC member states. Based on the reliable statistics our center provides on various social issues in these states, we can also work together to raise awareness of pressing social matters affecting our countries." In response, Prof. Sano welcomed H.E. Selcuk and H.E. Dr. Ninden Octavarulia Shanti, Director of the Training and Technical Cooperation Department at SESRIC, thanking them for their visit and their commitment to

fostering closer ties between the Academy and the Center. He provided a brief overview of the Academy's vision, mission, initiatives, and projects. He underscored the Academy's role as the supreme juristic authority for the OIC member states, responsible for clarifying Sharia rulings on contemporary issues, particularly those related to family, finance, intellectual property, culture, and education. He emphasized that the Academy is "ready to strengthen relations with OIC member states and enhance cooperation between the OIC and SESRIC." The meeting was also attended by Dr. Alhagi Manta Drammeh, Head of International Cooperation and External Relations at the Academy.





## Kuwait's Permanent Representative to OIC Praises the Academy's Efforts

As part of ongoing cooperation between the State of Kuwait and the International Islamic Fiqh Academy (IIFA), His Excellency Ambassador Mohammed Saud Al-Mutairi, Consul General and Permanent Representative of Kuwait to the Organization of Islamic Cooperation (OIC), visited the Academy's headquarters in Jeddah on Thursday, 3 Safar 1446, corresponding to 7 August 2024. He was accompanied by Mr. Humaid Al-Mutairi, Deputy Consul General of Kuwait. Upon their arrival, they were warmly welcomed by His Excellency Prof. Koutoub Moustapha Sano, Secretary General of the Academy, who expressed his appreciation for the visit, the first since H.E. Al-Mutairi's appointment as Consul General and Permanent Representative to the OIC. Prof. Sano conveyed the Academy's gratitude to Kuwait's



leadership and people for their consistent support and sponsorship of the Academy since its establishment. He also commended the valuable intellectual and scientific contributions of Kuwaiti scholars and experts in various Academy sessions, conferences, and seminars. Additionally, Kuwait has long represented the Arab Group in the Academy's Bureau and hosted two of its sessions, demonstrating the Kuwaiti leadership's ongoing commitment to supporting the Academy. In turn, Ambassador Al-Mutairi expressed his pleasure at the visit and signed the Academy's golden book, noting, "I would like to extend my sincere thanks and appreciation to Professor Sano for the warm reception and the comprehensive presentation of the Academy's efforts in serving

the Ummah. I wish him continued success." He reaffirmed Kuwait's readiness to host one of the Academy's future sessions, further emphasizing his country's support and commitment to the Academy's mission. At the conclusion of the visit, the Secretary General presented the Ambassador with a commemorative shield and a collection of the Academy's publications. He also accompanied the guests on a tour of the Academy's facilities, including its library. The meeting was attended by Mr. Humaid Al-Mutairi, Deputy Consul General of Kuwait, Dr. Abdulfatah Abnauf, Director of Planning and External Relations, Mr. Khalid Al-Ahmadi, Head of Financial Affairs, and Mr. Saad Al-Sammar, Head of the Media Division at the Academy.



## Director of Fatwas Participates in International Symposium on Jerusalem and Gaza Conflict



Mr. Abdullah Al-Tamimi, Director of the Department of Fatwas, Reviews, and Libraries, represented the Secretary General of the International Islamic Fiqh Academy at the OIC's international symposium held in cooperation with the UN Committee on the Exercise of the Inalienable Rights of the Palestinian People. The symposium, titled "Jerusalem and the

Gaza War: Inalienable Rights of the Palestinian People, Palestinian Identity and Existence Threatened with Annihilation," took place at the OIC headquarters in Jeddah on Monday, 25 Dhu'l-Hijjah 1445, corresponding to 1 July 2024. The event aimed to shed light on Israel's policies of forced displacement and confiscation of Palestinian property in Jerusalem, with a focus

on the broader context of illegal actions in other areas of the Occupied Palestinian Territories. The discussions were especially relevant given Israel's ongoing war on Gaza, the large-scale forced displacement of Palestinian civilians, and other severe violations of international law. The symposium began with an opening session where H.E. Mr. Hussein Ibrahim Taha, Secretary General of the OIC, delivered the keynote address. Following this, representatives from OIC member states, including Saudi Arabia and the State of Palestine, alongside officials from the United Nations and the Chairman of the UN Committee on the Exercise of the Inalienable Rights of the Palestinian People, presented their remarks on the issue. The event also featured a round-table discussion titled "Jerusalem under the War on Gaza: Challenges for Peace and Security in the Region and Beyond," with the participation of four experts on the situation in Jerusalem.

## Dr. Abnaouf: AI Offers a Significant Opportunity for Advancing Human Rights



At the invitation of the OIC's Independent Permanent Human Rights Commission, Dr. Abdulfatah Mahmoud Abnaouf, Director of the Department of Planning and International Cooperation, represented the Secretary General of the Academy and delivered a scientific paper during the 23rd Ordinary Session of the OIC's Cultural Commission on "The Impact of Artificial Intelligence (AI) on Human Rights: Challenges and Opportunities" on Sunday, 24 Dhu'l-Hijjah 1445, corresponding to 30 June 2024, at the OIC headquarters in Jeddah. Dr. Abnaouf began his presentation, titled "International and Islamic Human Rights: A Normative and Sharia Perspective on Artificial Intelligence," by expressing gratitude to the Independent Permanent Commission for organizing the event, which highlighted its commitment to human rights. He emphasized the principles of Sharia, which aim to ensure human well-being through

scientific advancements, fostering a legacy of values that prioritize the service of humanity and the alleviation of hardships. He reiterated that Islamic jurisprudence addresses all aspects of life, quoting Imam Al-Shafi'i: "No calamity befalls any follower of God's religion without there being guidance in God's Book on the path to righteousness." Dr. Abnaouf explained that AI, a product of human intelligence, has evolved to the point where it now surpasses its creators and may eventually replace them. Thus, it is crucial to develop ethical guidelines for AI, guided by Sharia's core objectives to protect humanity and preserve essential values. Dr. Abnaouf explored how AI impacts human rights and emphasized the need to develop frameworks based on the five objectives of Sharia. These frameworks would ensure that AI, like human intelligence, serves humanity and enhances human rights. He acknowledged the Islamic contributions to fields like mathematics and algorithms, with

pioneers such as Ibn al-Haytham and al-Khwarizmi laying the foundations of these sciences. However, he cautioned that if not guided properly, AI could have destructive consequences for individuals and society. He stressed the importance of ensuring that AI does not become a tool for harm, corruption, or violations of human dignity. Instead, AI should promote the principles of Islam, raise awareness of human rights, and adhere to Islamic ethics. Dr. Abnaouf concluded by stating that AI must serve humanity, support the objectives of Sharia, and protect wealth, life, and faith, ensuring it remains a positive force for society. The Academy has recognized the significance of this topic and included it on the agenda for its twenty-sixth session in Qatar in November 2024. The session will explore how AI can be leveraged to develop regional and international laws and guidelines that protect human rights within OIC member states and beyond.

### 43rd Monthly Meeting of the Academy's Staff

On Sunday, 08 Muharram 1446H, corresponding to 14 July 2024, H.E. Prof. Koutoub Moustapha Sano, Secretary General of the Academy, chaired the 43rd regular monthly meeting of the Academy's personnel at its headquarters in Jeddah. His Excellency began by welcoming the participants and expressing his gratitude to the scientific committee for their hard work in reviewing the research papers submitted to the Secretariat General. He emphasized the importance of forwarding the reviewed research papers to the printing press to assess the financial costs and delivery timelines, instructing the



Research and Encyclopedias Department to handle communication with the printer. His Excellency then invited staff members to share their thoughts and suggestions regarding the Academy's progress. Following a discussion of the feedback received, several key decisions were made:

- Finalizing the review of the fifth edition

of the Book of Resolutions in Arabic, English, and French, and sending it to the printer, with plans to publish it in Persian, Urdu, and Turkish after the final review.

- Distributing the 20th issue of the scientific journal to members and scientific institutions that previously received the Academy's publications while completing the distribution of newsletters and other materials
- Notifying researchers whose work has been approved for the upcoming session to submit summaries of their research based on the established criteria.

### 19th Joint Weekly Meeting of Departments and Divisions



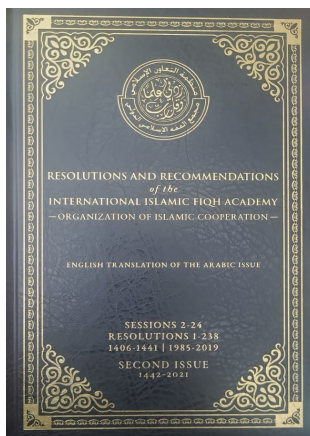
On Thursday, 13 Muharram 1446H, corresponding to 19 July 2024, H.E. Prof. Koutoub Moustapha Sano, Secretary General of the Academy, presided over the 19th joint weekly meeting of the departments

and divisions at the Academy's headquarters in Jeddah. His Excellency welcomed the attendees and emphasized that these meetings would continue to be collaborative among all departments and divisions to oversee preparations for the 26th session of the Academy, underscoring its significance during this crucial period leading up to the session. The delegation reviewed the results of their visit to Qatar and the discussions with the convening authority, highlighting the key requirements from the Academy and the need to communicate these

points to the hosting authority promptly. The meeting evaluated previous decisions and made new resolutions, including:

- Uploading the files for the upcoming session to a shared folder for all employees to access and provide their input.
- Finalizing the list of participants along with their passport photos to be sent to the session organizers.
- Reminding all participants to expedite the submission of all required documents, particularly for the Academy's members.

### 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 humanity that will remain forever on earth.





## Resolutions and Recommendations of the 11th Session of the Council of the International Islamic Fiqh Academy Manama - Kingdom of Bahrain 25-30 Rajab 1419 / 14-19 November 1998

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. 98 (1/11) Islamic Unity

The Council of the International Islamic Fiqh Academy of the Organization of the Islamic Conference, holding its 11th session in Manama, Kingdom of Bahrain, on 25-30 Rajab 1419h (14-19 November 1998), Having examined the research papers submitted to the Academy concerning Islamic Unity, In light of the discussions emphasizing that this subject is one of the most important issues, both theoretically and practically, and that one of the Academy's main objectives is to strive towards the unification of the Ummah intellectually, legally and politically, and to bind it strongly to Tawhīd, Resolves

First: Islamic unity is a duty which the Almighty Allāh has commanded us to adhere to and achieve and made it a concomitant description of this Ummah when He said, «And hold firmly to the rope of Allāh all together and do not become divided.» (Āl 'Imrān, 103); and He also said, «Indeed this, your religion, is one religion, and I am your Lord, so worship Me.» (Al-Anbiyā, 92). The Prophet's Sunnah stressed this call by words and deeds. The Prophet

SAW said "All the Muslims' blood is of equal value, and all the Muslims are like one hand against others, and the lowest of rank among them moves around freely under their protection." This unity was achieved by the Prophet SAW in practical life by forging brotherhood between the al-Muhājirūn (immigrants from Makkah) and al-Anṣār (supporters, inhabitants of Madinah). He also laid it down in the first document of the establishment of the Islamic State in al-Madinah al-Munawarah, in which he described the Muslims as being "a single Ummah unlike the rest of people." The meanings of such verses from the Holy Quran and from the sayings of the Prophet SAW make it incumbent upon the believers to unify their ranks under the banner of Islam, by holding firmly to the Quran and Sunnah, and renounce historical enmity, tribal differences and disputes, personal ambitions and racial slogans. When the Muslims abode by the above Islamic teachings, during the Prophet's lifetime and the era of the early Muslims, the religion of Islam and its rule spread in the East and in the West, and Ummah guided humanity through the Islamic civilization, which was the most glorious civilization as it was established on the principle of servitude to Allāh alone; thus justice, freedom and equality prevailed. Second: Islamic unity lies in ensuring servitude to Allāh the Almighty, in belief, words, and deeds, under the guidance of the Quran and Sunnah. It also lies in preserving what unifies Muslims on standard terms in the various intellectual, economic, social and political spheres of life. When Ummah abandoned the factors of its unity, reasons of discord began to emerge, deepening further, later on, disunity among Muslims. This was due to various reasons, among which the efforts of colonization that raised the banner "divide and conquer," thus splitting Ummah and the ranks of Arabs and Muslims into small parts

based on nationalist and ethnic grounds. Besides, most of the orientalist's efforts focused on the perpetuation of discord and disunity in their studies and books, which they disseminated among Muslims. Third: Jurisprudential (Fiqh) differences which are based on Ijtihād (jurisprudential interpretation) in understanding the meanings of Shariah sources are, in themselves, natural consequences. They, in fact, contributed to the enrichment of legislation which realizes the purposes and characteristics of Shariah, by making things easy and bearable for Muslims. Fourth: It is a Muslim duty to preserve the status of all the Prophet's Companions RA. The 'Ulamā (Islamic scholars) should be called upon to exalt the Companions' position and services in conveying Shariah to the Ummah and highlight their rights over it. Also, governments should be called upon to issue regulations that punish whoever denigrates or looks down upon them in any way whatsoever. This will preserve the sanctity of the Prophet's Companions RA and nip in the bud one of the reasons of discord. Fifth: It is a Muslim duty to adhere to the Holy Quran and Sunnah and to the guidance of the Ummah's pious predecessors and those who follow their footsteps. It is also a Muslim duty to discard delusions, avoid what spreads seditions among Muslims and what leads to their disunity, and instead channel Muslim efforts to the call for Islam and the propagation of its principles among non-Muslims. Recommendations

Needless to say, that our age is an age of regional blocks, which serve various intellectual, social and economic purposes under the banners of globalization, secularism and modernism, and also because of the media's unrestricted openness. This makes the Muslim world targeted in a bid to put an end to its distinctive features, destroy its basic elements and undermine the foundations



of its spiritual and intellectual civilization. Our Ummah cannot be protected from these perils and threats except by unifying its ranks and eliminating the reasons of discord, especially that our Ummah has all factors of unity which include a common creed with common social, economic, legislative and cultural aspects. Hence, the Academy makes the following recommendations:

1. Confirming the Academy resolution 48 (10/5) regarding the application of the Islamic laws and the subsequent recommendations on the same topic, and the Academy resolution no. 69 (7/7) regarding intellectual imperialism, the subject matter of the first recommendation.
2. Calling upon the governments of Muslim countries to support the efforts made by both the Organization of the Islamic Conference and the International Islamic Fiqh Academy, considering that these efforts are manifestations of unity among Muslims, politically and
3. Leaving behind historical disputes, for their effects only lead to inflaming enmity and deepening discord.
4. Maintaining positive opinion and mutual trust between Muslims, both as governments and citizens, through directing the media to fostering the spirit of unity, promoting the ethics of dialogue, and accepting opinions based on Ijtihad.
5. Benefiting from fateful issues which unify Ummah, principally the issue of Al-Quds and Al-Aqsa Mosque, the first of the two Qiblas and the Prophet's Masrā (station of his night journey), to ward off the dangers which threaten its Islamic The Academy also stresses that the issue of Al-Quds and Al-Aqsa Mosque is an issue concerning all Muslims. The participants to the session appeal to the governments of Muslim countries to give this issue, and other similar issues, due attention and take prompt and appropriate measures, which include the following:

- Denouncing the policies of expulsion, judaization and settlement which Palestinian lands and people are being subjected to, and denouncing the occupation, injustice, oppression, deprivation, killing and dislodgement which the Palestinians are suffering from. Added to this are the humiliation of human dignity and the abuse of fundamental human rights.

- Extending full support to the struggling Palestine, its blessed land, and Al-Aqsa Mosque, the first of the two Qiblas, as well as to its fight for independence, and siding with it and with the Palestinian people in their resistance.

- Condemning the Zionist movement and the Israeli occupation for the forms of oppression and the various aspects of ugly aggression against the struggle of the Palestinian people for freedom and for the liberation of sacred sites.

1. Paying due attention to the priority mechanisms proposed for the achievement of Islamic unity through stages, including:
2. Designing educational curricula on Islamic
3. Formulating a joint Islamic media
4. Establishing a common Islamic
5. Establishing an Islamic Court of
6. The Secretariat General of the Academy should establish a committee from among its members and experts to prepare practical studies that are considering the current situation of Ummah. Such studies should include the cultural, social and economic aspects and put down mechanisms of achieving unity in these areas while benefiting from the current efforts of Arab and Muslim organizations and seeking the assistance of experts in these various disciplines. Finally, in order to ensure the effectiveness of such a committee and the implementation of the findings of its studies, we recommend that its members and duties be approved by the Organization of the Islamic Conference. Indeed, Allāh is the Giver of success.

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## Resolution No. 99 (2/11) Secularism

The Council of the International Islamic Fiqh Academy of the Organization of the Islamic Conference, holding its 11th session in Manama, Kingdom of Bahrain, on 25–30 Rajab 1419h (14–19 November 1998), Having examined the research papers submitted to the Academy concerning Secularism, In light of the discussions that highlighted the dangers of secularism against the Ummah, Resolves

First: Secularism, which is the separation between religion and life, started as a reaction to the arbitrary acts committed by the Church. Second: Secularism spread in Muslim lands with the force of colonization and its stooges, and under the effect of orientalism, and thus led to the fragmentation of Ummah, to casting doubts on the creed of Islam and to the distortion of the brilliant history of our Ummah. It also led to the propagation of a misconception among the young generation that there is a discrepancy between reason and Shariah sources; and thus, secularism worked to replace the Noble Shariah with man-made laws and promote licentiousness, moral degradation and the destruction of noble values. Third: From secularism spread destructive ideologies which invaded our countries under different names, such as racism, communism, Zionism, free-masonry, etc. which led to the dissipation of the Ummah's resources and the deterioration of economic conditions. The result was the occupation of some of our lands, such as Palestine and Al-Quds, which indicates the failure of secularism to do any good to our Ummah. Fourth: Secularism is a man-made system based primarily on the principles of atheism which is against Islam, in part and whole. It converges with international Zionism and calls for licentiousness. Therefore, it is an atheistic approach that is rejected by Allāh, His Messenger and by all believers. Fifth: Islam is a religion, a governing system and a complete way of life, which is suitable for every time and place. It does not approve of the separation between religion and life and it requires

that all laws and regulations emanate from it, and that practical life follow its system whether in politics, economics, social life, education, media, or any other field.

Recommendations

1. Muslim governments should prevent the methods of secularism against Muslims and their countries and take the necessary measures to protect them from its dangers.
2. Muslim scholars should include in their dawah and reformation efforts the denunciations of secularism and the dissemination of its dangers.
3. Developing a comprehensive Islamic education plan for schools, universities, research centers and information networks in order to formulate a single and comprehensive media, educational, and intellectual discourse and to emphasize the need for the revival of the role of the Mosque, to pay special attention to sermons, preaching and guidance, to train preachers with adequate qualifications that meet the requirements of our time, to refute misconceptions about Islam, and to preserve the objectives of Shariah. Indeed, Allāh is the Giver of success.

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### Resolution No. 100 (3/11) Islam versus Absolute Modernism

The Council of the International Islamic Fiqh Academy of the Organization of the Islamic Conference, holding its 11th session in Manama, Kingdom of Bahrain, on 25–30 Rajab 1419h (14–19 November 1998), Having examined the research papers submitted to the Academy concerning Islam versus Absolute Modernism, In light of the discussions that highlighted the dangers of this issue, and revealed the true nature of modernism as an intellectual theory based on the deification of reason, the rejection of the unseen, the denial of revelation and the destruction of everything related to beliefs, values and morals, The following are the most important characteristics of modernism in the minds of its supporters:

- Absolute dependence

on the intellect and restriction to the data of empirical science, far away from the genuine Islamic

• Complete separation between religion and all cultural, social, economic, political and charitable institutions; and thus, their alignment with Hence, the Academy resolves First: Modernism, as mentioned above, is an atheist concept that is rejected by Allāh, His Prophet, and believers because it contradicts the principles of Islam and its fundamentals, no matter what clothes it wears, such as the so-called jealousy for Islam and the claim to revive it. Second: Within the teachings of Islam and its law, there are sufficient solutions for humanity anywhere and anytime, because Islam is built on firm foundations without which human life cannot stand, and on variables that ensure progress and development and welcome everything new and beneficial through Ijtihād, which is governed by and based on the various sources of Islamic legislation. Recommendations

1. The Organization of the Islamic Conference should form a committee of Muslim thinkers to monitor the phenomenon of modernism and its results and study it in a comprehensive, objective, and scientific manner to warn against its falsehoods and protect the Muslim youth from its severe
2. Muslim governments should use all means to repel the mischievous methods of modernism and take the necessary measures to protect their countries and Muslim citizens from this. Indeed, Allāh is the Giver of success.

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### Resolution No. 101 (4/11) Debt Sale, Loan Debentures, and their Shariah-based Alternatives in the Public and Private Sectors

The Council of the International Islamic Fiqh Academy of the Organization of the Islamic Conference, holding its 11th session in Manama, Kingdom of Bahrain, on 25–30 Rajab 1419h (14–19 November 1998), Having examined the research papers submitted to the Academy concerning Debt Sale and Loan Debentures and their Shariah-based Alternatives in the Public and Private Sectors, In light of the discussions highlighting the importance of these issues in contemporary financial transactions, Resolves

First: It is not permissible to sell a deferred debt by the non-debtor for immediate cash, of its type or otherwise, because this results in ribā (usury). Likewise, it is not permissible to sell it for a deferred cash, of its type or otherwise, because it is similar to selling a debt for a debt, which is prohibited in Shariah, regardless of whether the debt is the result of a loan or a deferred sale. Second: Emphasizing the Academy resolution no. 60 (11/6) concerning Bonds, issued at its sixth session held in Saudi Arabia on 17–23 Sha'bān 1410h (14–20 March 1990) and paragraph (3) of the Academy resolution no. 64 (2/7) regarding discounting commercial papers, issued at its seventh session held in Saudi Arabia on 7–12 Dhū al-Qi'dah 1412h (9–14 May 1992). Third: The Academy reviewed other forms of the debt sale and decided to postpone the issuance of resolutions on the subject to conduct further research. It, therefore, requests the Secretariat General to establish a committee to study these forms and suggest Shariah-compliant alternatives to debt sale, to be submitted at the next session of the Academy. Indeed, Allāh is All-Knowing.

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## Resolution No. 102 (5/11) Currency Trading (Foreign Exchange Market)

The Council of the International Islamic Fiqh Academy of the Organization of the Islamic Conference, holding its 11th session in Manama, Kingdom of Bahrain, on 25–30 Rajab 1419h (14–19 November 1998), Having examined the research papers submitted to the Academy concerning Currency Trading (Foreign Exchange Market), Having listened to the discussions on the subject, Resolves

First: Confirming the Academy resolution no. 21 (9/3) concerning banknotes and the changing value of currency, resolution no. 63 (1/7) concerning the stock exchange, paragraph (3) on trading in commodities, currencies and indexes of organized markets, and no. (2) concerning currency exchange, and resolution no. 53 (4/6) concerning Qabd (taking possession), paragraph (2-i-c). Second: It is not permissible in Shariah to sell currencies by deferred sale, nor to set a date for the exchange of their price, as has been proven by the Quran, Sunnah and Ijmā'. Third: Ribā (usury), currency trading, and currency exchange that do not abide by the rulings of Shariah are among the most important causes of the economic crises and financial fluctuations that have hit some countries. Recommendation

It is incumbent upon Muslim governments to exercise control over financial markets and compel them to regulate their activities, such as in currencies and other transactions in accordance with the provisions of Shariah, as these principles are the safety valve against economic disasters. Indeed, Allāh is the Giver of success.

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## Resolution No. 103 (6/11) Maintenance Contracts

The Council of the International Islamic Fiqh Academy of the Organization of the Islamic Conference, holding its 11th session in Manama, Kingdom of Bahrain, on 25–30 Rajab 1419h (14–19 November 1998), Having examined the research papers submitted to the Academy concerning Maintenance Contracts, Having listened to the in-depth discussions on the subject, Resolves

First: A maintenance contract is a novel and independent contract to which the general rulings of Shariah for contracts apply. Its jurisprudential characterization and ruling vary according to its different forms. It is, in fact, a compensation contract that involves an undertaking by one party to inspect and repair, periodically or in case of emergency, a machine or anything else necessary in the form of periodical or emergency repairs for a specified period in exchange for specific compensation. The maintenance contractor may undertake to provide labor only or both labor and materials. Second: A maintenance contract includes many forms, among which have been explained above, namely:

1. A maintenance contract which is not related to another contract, whereby the maintenance contractor undertakes to provide labor only or provide ordinary materials that the contracting parties usually do not consider. This contract is regulated as an Ijārah contract to provide labor, and it is permissible in Shariah, provided the labor period and wages are
2. A maintenance contract is not related to another contract, whereby the maintenance contractor undertakes to provide labor, while the client undertakes to provide materials. The jurisprudential characterization and ruling of this form are the same as the first one above.
3. Conditional maintenance in the sale contract which is to be provided by the seller for a specific period of This is a contract in which sale and condition are combined and it is permissible in Shariah, whether maintenance is done with or without the provision of materials.
4. Conditional maintenance in

Ijārah contract which is to be provided by both parties of the contract. This is a contract in which Ijārah and condition are combined. The ruling of this form of contract is that maintenance, if it is of the type that depends on the fulfillment of benefit, then it is binding to the owner of the hired property without condition. However, it is not permissible to impose it as a condition on the client. As for maintenance which is not conditional on the fulfillment of benefit, it is permissible to be imposed as a condition for either party, if it is specified in a manner that precludes ignorance. There are other forms which the Academy decides to postpone for further study and research. Third: In all forms, it is required that maintenance be specified in a manner that precludes ignorance that leads to disputes. The same applies to the specification of materials if they are to be supplied by the maintenance contractor. Likewise, it is a requirement to specify wages in all cases.

Indeed, Allāh is All-Knowing.

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## Resolution No. 104 (7/11) Ways of Making Use of Nawāzil (Fatāwā)

The Council of the International Islamic Fiqh Academy of the Organization of the Islamic Conference, holding its 11th session in Manama, Kingdom of Bahrain, on 25–30 Rajab 1419h (14–19 November 1998), Having examined the research papers submitted to the Academy concerning Ways of Making Use of Nawāzil (Fatāwā), Having listened to the discussions on the subject, Resolves

1. Making use of the heritage of jurisprudential fatāwā (eg. fatwā, fiqh al-nawāzil) with all their forms to find solutions to contemporary issues, whether in relation to the methodology of ifta under the general rules of Ijtihād, Istinbāt (inference), takhrij (extraction) and Fiqh maxims, or in relation to the Fiqh branches which fuqahā (fiqh scholars) had previously dealt with in issues similar to

the practical applications of their times.

2. Academic editing of the most important Fiqh books, and reviving the auxiliary Fiqh manuals, such as al-Tanbihāt 'ala al-Mudawwanah (Commentary on Fiqh Codes) by al-Qāḍī Iyāḍ, al-Barnāmaj (Curriculum) of Sheikh Adhoom, Fatāwā of al-Imam al-Ghazzālī, Taqwīm al-Naẓr (Strengthening Observation) by Ibn al-Dahhān, and other books dealing with practices of Madinah in the Maliki school as well as of its scientific capitals, such as Fes, Kairouan and Cordoba, in addition to al-Ma'rūḍāt (Exhibits) by Abū al-Su'ūd, and such other works which are a way of highlighting the vitality of

3. Preparing an in-depth book clarifying the principles of Iftā and the methodologies of Muftīs, the terminology of the different schools of Fiqh, the methods of tarjīḥ (preponderance) and takhrīj (extraction) in each school of Fiqh (madhāhib), including the collection of common practices within the Maliki and other schools of Fiqh, as well as publishing al-Madkhal ilā fiqh al-Nawāzil (Introduction to the Fiqh of Contemporary Issues) authored by the President of the Academy.

4. Introducing other Fatwa books as part of the planning for Ma'lamah al-Qawā'id al-Fiqhiyyah (Encyclopedia of Fiqh Maxims) to facilitate access to the maxims on which the fatwās are based but which are not often included in Fiqh writings.

Recommendations

1. Extreme caution should be taken against the fatwas that are not backed by a Shariah principle or not based on Shariah-accepted evidence but are rather based only on an illusional benefit disproved by Shariah and stemming from fancies and influenced by circumstances and customs that are in conflict with the principles, rulings and purposes of

2. Calling on Iftā workers, namely Muftīs, authorities, and committees, to take into consideration the resolutions and recommendations of Fiqh Academies, in order to regulate, coordinate and

unify fatwās in the entire Muslim

3. Restricting the issuance of fatwās to scholars known for their knowledge, scholarship, righteousness, and piety of Allāh the

4. Those who issue fatwās should respect Iftā rules stipulated by scholars in this regard, namely:

1. Abiding by the legal proofs of the Quran, Sunnah, Ijmā', Qiyās (legal analogy), and other proofs of Shariah, in addition to abiding by the rules of Istidlāl (establishing evidence) and those of Istinbāt (inference).

2. Giving due attention to the order of priorities in the realization of benefits and the elimination of evils.

3. Taking into consideration the jurisprudence of reality (fiqh wāqī'), customs, changes of situations, and the time conditions, which do not contradict a principle of Shariah.

4. Keeping pace with the developments of modern civilization by combining genuine public interests with due respect to the provisions of

Indeed, Allāh is the Giver of success.

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### Resolution No. 105 (8/11) Heredity, Genetic Engineering, and the Human Genome

The Council of the International Islamic Fiqh Academy of the Organization of the Islamic Conference, holding its 11th session in Manama, Kingdom of Bahrain, on 25–30 Rajab 1419h (14–19 November 1998), Having examined the research papers submitted to the Academy concerning Heredity, Genetic Engineering, and the Human Genome, Having reviewed the resolutions and recommendations of the 11th Medical Fiqh Symposium held jointly by the International Islamic Fiqh Academy in Jeddah, the Islamic Organization

for Medical Sciences (Kuwait), the Regional Office of the World Health Organization (Alexandria), and the Islamic Organization for Education, Science and Culture (ISESCO), on 23–25 Jumādā al-Ākhirah 1419h (13–15 October 1998) in the State of Kuwait, Resolves

To postpone the issuance of a resolution on this subject pending further research and study.

Indeed, Allāh is the Giver of success.

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### Resolution No. 106 (9/11) Expert Symposium on the Role of Women in the Development of Muslim Society

The Council of the International Islamic Fiqh Academy of the Organization of the Islamic Conference, holding its 11th session in Manama, Kingdom of Bahrain, on 25–30 Rajab 1419h (14–19 November 1998), Having discussed and consulted on the above subject, Resolves

To postpone the issuance of a resolution on the subject pending further research. For this purpose, a committee was established and composed of Sheikh Dr. Bakr bin Abdullah Abu Zayd, President of the Academy, Sheikh Mohamed Ali Al-Taskhiri and Sheikh Muhammad Taqi Usmani. This committee shall submit its report to the next session of the Academy.

Indeed, Allāh is the Giver of success.

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## Secretary General met Burkinabé Foreign Minister in Yaoundé

On the sidelines of the OIC Council of Ministers Conference held in Yaoundé, Cameroon, on 29-30 August 2024, His Excellency Professor Koutoub Moustapha Sano, Secretary General of the International Islamic Fiqh Academy, met with His Excellency Mr. Karamoko Jean Marie Traore, Foreign Minister of Burkina Faso, on Thursday, 25 Safar 1446 (29 August 2024). The Minister expressed his gratitude to Professor Sano for the opportunity to meet and shared his hope that the Academy could play a pivotal role in addressing misconceptions about Islam in Burkina Faso, particularly in relation to extremism, terrorism, and religious



intolerance. Minister Traore also extended an invitation to Professor Sano to participate in an upcoming International Conference organized by the Government of Burkina Faso in November 2024. The conference will focus on promoting interreligious dialogue within Burkina Faso. He emphasized his belief that the Academy's contributions would be invaluable to the themes and content of the conference, especially in fostering social cohesion and interfaith understanding in the country. In response, Professor Sano expressed his appreciation for the invitation and the opportunity to engage in this significant conference. He assured the Minister of the Academy's commitment to actively

participate in and support this initiative. "Your Excellency," he stated, "please be assured of our commitment to take a leading role in this international conference under the auspices of the Government of Burkina Faso." Professor Sano agreed with Minister Traore on the importance of addressing extremism and terrorism through intellectual and educational approaches, in addition to military and security efforts. Also present at the meeting were Ms. Sarah Amjad Badewi, Director of Family, Woman, Childhood, and Elderly Affairs; Mr. Saad Sammar, Head of the Media Division; and Dr. Alhagi Manta Drammeh, Head of International Cooperation and External Relations Division at the Academy.



## Secretary General of the Academy Meets with Afghan Foreign Minister



On the sidelines of the 15th OIC Foreign Ministers Council session in Yaoundé, Cameroon, His Excellency Professor Koutoub Moustapha Sano, Secretary General of the International Islamic Fiqh Academy, met with His Excellency Mawlawi Amir Khan Muttaqi,

Foreign Minister of Afghanistan's current governing authority, and His Excellency Ambassador Shafiq Samim, Afghanistan's Permanent Representative to the OIC. The meeting took place on Thursday, 25 Safar 1446 (29 August 2024), with the attendance of His Excellency Tariq Ali Bakhit, OIC Assistant Secretary-General for Humanitarian, Cultural, Social, and Family Affairs, and Special Envoy to Afghanistan; and Her Excellency Dr. Afnan Al-Shu'aybi, Executive Director of the OIC Women Development Organization. At the start of the meeting, Minister Muttaqi extended a warm welcome to Professor Sano and his delegation, commending the OIC Secretariat General and, in particular, the International Islamic Fiqh Academy, for their dedicated efforts in addressing Afghanistan's challenges. He expressed particular appreciation for the Academy's work in promoting female education, supporting women's roles in development, and fostering unity across Afghan society. Professor Sano conveyed

his sincere gratitude to Minister Muttaqi and his delegation for the opportunity to meet. He praised Afghanistan's governing authority and the Foreign Ministry for their commitment to enabling girls and women to pursue education in both religious and secular disciplines at all levels, as well as for encouraging Afghan women's involvement in national development. Professor Sano also expressed hope for strengthened cooperation and coordination between the Afghan authority and the OIC, through the OIC's office in Kabul and the Special Envoy to Afghanistan. Also present at the meeting was Mr. Saad Essemmar, Head of the Media Division at the Academy.



## Somalia's Permanent Representative to the OIC Visits IIFA

On Monday, 08 Safar 1446 (12 August 2024), His Excellency Professor Koutoub Moustapha Sano, Secretary General of the International Islamic Fiqh Academy (IIFA), welcomed His Excellency Ambassador Dr. Abdulkadir Moalim Nur, Permanent Representative of the Federal Republic of Somalia to the OIC, along with his delegation, at the Academy's headquarters in Jeddah. Professor Sano expressed appreciation for the support and commitment that the government of Somalia has shown to the Academy since its inception. He praised Ambassador Nur's dedication to strengthening collaboration between the Academy and Somali scientific institutions



and centers. He also reaffirmed the Academy's readiness to offer intellectual and religious support to Somali authorities and to work with Somali scholars to promote moderation, reject extremism and hate speech, and foster a culture of tolerance, coexistence, and peaceful reform. Ambassador Nur shared his pleasure at this first visit to the Academy since taking office, expressing his honor in meeting Professor Sano and discussing ways to leverage the Academy's expertise in advancing peace and social reform in Somalia. He emphasized the importance of working together to spread the principles of moderation and tolerance

and to counter extremist ideologies within Somali society. The ambassador concluded his visit by recording his thoughts in the IIFA's golden book, writing, "I wish to express my gratitude for this opportunity to visit the International Islamic Fiqh Academy and meet my brother, Professor Koutoub Sano. I am pleased with our productive discussions and wish the Academy continued success." Also present at the meeting were His Excellency Mr. Abdulrahim Osman Alami, Deputy Permanent Representative of Somalia to the OIC, and Mr. Mohamed Walid Al-Idrissi, Director of the Media, Public Relations Department at the Academy.



## Ambassador-at-Large of Family Watch International Visits IIFA

H.E. Professor Koutoub Moustapha Sano, Secretary General of the Academy, welcomed H.E. Mr. Omar Dahab Fadl Mohammed, Ambassador-at-Large of the US-based Family Watch International, on Sunday, 25 Rabi Al-Awal 1446 (29 September 2024), at IIFA's headquarters in Jeddah. During the meeting, Ambassador Mohammed expressed his sincere appreciation for the warm reception and he emphasized the honor of visiting this renowned institution, which he acknowledged as a leading jurisprudential authority for Muslims worldwide. He commended IIFA's significant contributions under Professor Sano's leadership, particularly in addressing family issues, which he noted as fundamental to human existence. He also highlighted Family Watch International's longstanding dedication, since its founding in the late



1990s, to protecting and supporting the family institution in line with divine principles. Professor Sano, in turn, warmly welcomed his guest and expressed gratitude for the visit, appreciating the ambassador's respect for the Academy's mission. He noted that the visit reflects a shared desire to strengthen cooperation between the IIFA and Family Watch International, which plays a vital role globally, especially in collaboration with the UN institutions to raise awareness of the family's importance to humanity's survival. He emphasized that the preservation of offspring and family is a key objective of Sharia, closely linked to safeguarding life, religion, intellect, and wealth. Additionally, Prof Sano noted that the Academy has issued numerous resolutions and recommendations supporting family protection, women's and

children's rights, and the sanctity of marriage. At the end of the visit, the Ambassador recorded his thoughts in the golden book, writing: "I was honored today to visit H.E. Prof. Koutoub Moustapha Sano, Secretary General of the Academy. I am grateful for this valuable opportunity to discuss our shared commitment to safeguarding families worldwide, in alignment with the teachings of our faith and the principles enshrined in foundational international charters." Family Watch International is a US-based advocacy organization dedicated to promoting family values at national, and local levels. The meeting was also attended by Mr. Mohamed Idrissi, Director of Public Relations; Ms. Sarah Amjad Bedewi, Director of Family, Women, Children; and Dr. Alhagi Manta Drammeh, Head of International Cooperation and External Relations.





## Secretary General Urges Cameroon's Islamic Affairs Supreme Council to Strengthen Cooperation Among Local Islamic Institutions



On Friday, 26 Safar 1446 (30 August 2024), His Excellency Professor Koutoub Moustapha Sano, at the invitation of the Supreme Council for Islamic Affairs of Cameroon, held a consultative meeting with Council members at their headquarters in Yaoundé, Cameroon. His Excellency Sheikh Dr. Abdulkarim Abu Yarmah, President of the Council, warmly welcomed Professor Sano and his delegation, expressing gratitude for honoring the Council's invitation and agreeing to sign a Memorandum of Cooperation with the Islamic Council of Cameroon. Sheikh Yarmah praised Professor Sano's intellectual contributions and his impactful scholarly work, which have earned him admiration from followers, readers, and listeners worldwide. He also conveyed deep appreciation for the partnership with the International Islamic Fiqh Academy, a leading jurisprudential authority in the Muslim world. Sheikh Yarmah briefed Professor Sano and his delegation on the Council's efforts to unify

the Muslim community in Cameroon and foster cooperation among various Islamic institutions, associations, and organizations. In response, Professor Sano expressed gratitude to Sheikh Yarmah and the Council members for their warm welcome and hospitality. He congratulated Sheikh Yarmah on his election as President of the Council and shared his enthusiasm for establishing a collaborative relationship with the Council. Professor Sano provided an overview of the Academy's vision and mission, emphasizing its commitment to presenting Islamic law in a moderate way, promoting values of balance and tolerance, rejecting fanaticism and extremism, and demonstrating the capacity of Islamic jurisprudence to address contemporary issues with effective solutions. He highlighted that a key objective of the Academy's strategic plan is to foster intellectual convergence and integration between jurists from recognized Islamic schools and experts from human, social, natural, and applied sciences, aiming to clarify the Sharia perspective on contemporary life challenges. Professor Sano urged the Council to continue its efforts to unify Islamic ranks and bring together all Islamic institutions in Cameroon. He encouraged Islamic institutions to consider the Council as the primary reference on matters concerning Muslims in Cameroon, particularly in

matters like fasting dates and religious holidays. He also stressed the importance of respecting doctrinal and jurisprudential diversity and overcoming sectarian, ideological, and ethnic divisions by focusing on shared values. Quoting the Prophet's (PBUH) hadith, "The parable of the believers in their affection, mercy, and compassion for each other is that of a body; when any limb aches, the whole body reacts with sleeplessness and fever," Professor Sano underscored the unity that should characterize relations among Muslims, manifesting in shared celebrations, sorrows, and unified rituals. The meeting concluded with the signing of a Memorandum of Cooperation between the two sides. Among those in attendance were members of the Cameroonian Council, as well as Ms. Sarah Amjad Bedewi, Supervisor of the Secretary General's Cabinet; Dr. Alhagi Manta Drammeh, Head of International Cooperation and External Relations; and Mr. Saad Essemmar, Head of the Media Division at the Academy.



## IIFA and El-Zeytuna University of Tunisia Sign Memorandum of Cooperation

In pursuit of fostering intellectual convergence and knowledge integration between the International Islamic Fiqh Academy (IIFA) and prominent scientific institutions in OIC Member States, His Excellency Professor Koutoub Moustapha Sano, Secretary General of IIFA, and His Excellency Professor Abdellatif Bouazizi, President of El-Zeytuna University, signed a Memorandum of Cooperation on Thursday, 23 Rabi Al-Awal 1446 (26 September 2024), at the IIFA headquarters in Jeddah. This new agreement is aimed at enhancing collaborative efforts in research and scientific studies, promoting excellence in the creation, development, dissemination, and practical application of knowledge. It also aspires to enrich individuals and societies, clarify Sharia perspectives on contemporary issues, organize joint scientific events (seminars, conferences,



and discussions), and facilitate scientific and knowledge-based programs between the two institutions. After the signing, Professor Sano expressed his honor and joy in formalizing this important partnership with El-Zeytuna University, one of the oldest and most esteemed universities in the Muslim world. He praised the historical significance of El-Zeytuna in scientific research and in nurturing generations proficient in Sharia and Islamic sciences, with a strong commitment to promoting moderation and values of tolerance and coexistence. Professor Sano expressed hope that the agreement would enable the Academy to benefit from the expertise and scientific resources of El-Zeytuna University, inviting its researchers from various faculties to participate in the Academy's sessions and conferences, thus advancing scientific and research

collaboration between the institutions. In turn, the President of El-Zeytuna University expressed his appreciation to Professor Sano for establishing this partnership. He affirmed that the university, through its faculties, institutes, and scientific centers, would commit its resources to ensure the agreement's success and fulfill its objectives. He also praised the Academy's esteemed reputation and influence within and beyond OIC member states as a pioneering model for fostering intellectual collaboration among scholars of the Ummah and promoting synergy among scientific institutions. The signing ceremony was attended by Mr. Mohammed Mondher Chouk, Director of Cabinet and Protocols; Dr. Abdelfattah Abnauf, Director of Planning, Development, and External Relations; and Dr. Alhagi Manta Drammeh, Head of the International Cooperation and External Relations Division at the Academy.



## Secretary General Meets with U.S. Chief of Strategic Engagement and Peace



On Friday, 26 Safar 1446 (30 August 2024), Mr. Oliver Wilcox, Chief of Strategic Engagement for Peace and Security at the U.S. State Department, met with His Excellency Professor Koutoub Moustapha Sano, Secretary General of the International Islamic Fiqh Academy (IIFA), at his residence in Yaoundé, Cameroon. The meeting took place alongside the Conference of the OIC Council of Foreign Ministers held on 29-30 August 2024. Professor Sano warmly welcomed Mr.

Wilcox, expressing his appreciation for the visit, which reflects a strong collaborative relationship between the Academy and U.S. educational institutions and policymakers in advancing peace and dialogue. Mr. Wilcox conveyed his sincere gratitude for the warm reception, emphasizing the importance of meeting Professor Sano as part of the U.S. commitment to enhancing cooperation and coordination with the Organization of Islamic Cooperation (OIC) and its affiliated institutions, particularly the International Islamic Fiqh Academy. The two leaders discussed various avenues for cooperation, particularly in promoting peace and security, youth engagement, the rehabilitation and addressing issues concerning individuals with disabilities. They also examined ways to pursue a resolution to the Gaza conflict

in alignment with international law, with Professor Sano highlighting the potential of U.S. influence to help bring an end to the violence in Gaza. The meeting was attended by Ms. Sarah Amjad Bedewi, Director of Family, Women, and Supervisor of the Secretary General's Office; Mr. Saad Essemmar, Head of Media; and Dr. Alhagi Manta Drammeh, Head of the International Cooperation and External Relations Division at the Academy.





## IIFA Participates in 94th Saudi National Day Celebration

Mr. Mohamed Mondher Chouk, Director of Cabinet and Protocols, represented the International Islamic Fiqh Academy (IIFA) at the 94th Saudi National Day celebration held on Tuesday evening, 21 Rabi Al-Awal 1446 (24 September 2024), in Jeddah, Saudi Arabia. The Academy's participation was in response to an invitation from the Makkah branch of the Ministry of Foreign Affairs. On behalf of IIFA's leadership, Secretariat General, members, and experts, Mr. Chouk extended heartfelt congratulations and best wishes to the leadership and people of Saudi Arabia, wishing them continued prosperity and happiness.



## Libyan International Dawah Society Delegation Visits IIFA



Mr. Mohammed Walid Al-Idrisi, Acting Secretary General of the International Islamic Fiqh Academy (IIFA) and Director of Media and Public Relations, welcomed H.E. Mr. Mohammed Ali Ajal, a committee member of Libya's International Dawah Society, along with his delegation, on Monday, 29 Safar 1446 (2 September 2024), at the Academy's headquarters in Jeddah. The delegation expressed gratitude for the meeting, highlighting IIFA's esteemed

global reputation and the value of its scientific contributions. They shared their hope to strengthen collaboration with the Academy, especially in benefiting from its expertise, resolutions, recommendations, and publications. On behalf of the Secretary General, H.E. Prof. Koutoub Moustapha Sano, Mr. Al-Idrisi extended a warm welcome to the guests and conveyed best wishes for their efforts. He reaffirmed IIFA's commitment to supporting official scientific

institutions within OIC Member States to achieve their goals in service of the Ummah. Mr. Al-Idrisi also provided a brief overview of IIFA's history, vision, mission, and objectives, emphasizing its role as a leading authority within OIC Member States in addressing issues of concern to the Muslim community through the lens of Sharia. The meeting was attended by H.E. Dr. Mohammed Hassan Ashour, Political Advisor to the Permanent Delegation of Libya to the OIC, as well as Mr. Mohammed Mondher Chouk, Director of Cabinet and Protocols; Dr. Abdulfatah Abnaouf, Director of Planning and International Cooperation; and Mr. Amjad Ibrahim Al-Mansi, Head of Protocols Division.



## IIFA Participates in SMIIC's 13th Meeting in Istanbul



Dr. Mohamed El-Amin Silla, Head of the Research and Studies Division, represented the International Islamic Fiqh Academy (IIFA) at the 13th meeting of the Standards and Metrology Institute for Islamic Countries (SMIIC) of the Organization of Islamic Cooperation (OIC). The meeting took place in Istanbul, Turkey, from 20-25 Rabi Al-Akhir 1446, corresponding to 23-28 September 2024. The committee sessions saw

the participation of numerous experts from various Muslim countries, covering a wide range of topics, including halal products, cosmetics, pharmaceuticals, agriculture, petroleum, and tourism. Notably, the long-standing collaboration between SMIIC and the Academy in the halal products sector, including food, medicine, and clothing, has led to significant advancements with a substantial impact on this crucial industry.

## 44th Monthly Meeting of Academy Personnel

H.E. Prof. Koutoub Moustapha Sano, Secretary General of the Academy, chaired the 44th monthly meeting of the Academy's personnel at the Academy's headquarters on Sunday, 2 Safar 1446, corresponding to 6 August 2024. The meeting began with His Excellency extending a warm welcome to the attendees. He also expressed his condolences for the passing of Mr. Hassan Ibrahim Kamit, Director of the Department of Conferences, Sessions, and Seminars, and prayed for mercy on the deceased and strength for his family. Following this, His Excellency provided an overview of his participation in the 9th International Conference on "Fatwa



and Ethical Construction in an Accelerated World," organized by the General Secretariat of the World Fatwa Authorities. The conference was held on 23-24 Muharram 1446 (30-31 July 2024) in Cairo, Egypt, where His Excellency delivered an opening speech on behalf of the OIC Secretary-General. The meeting then opened the floor

for discussions on the Academy's progress, and several decisions were made, including:

- Finalizing the review of the fifth edition of resolutions in three languages for printing, with a review of translations into Persian, Urdu, and Turkish before publication.
- Preparing the programs for the 26th session and the Cultured Meat Symposium and submitting them to the Secretary General promptly.
- Preparing research papers for the upcoming symposia on premature babies, poultry, and cultured meat, to be included in the documentation for the 26th session.

## 130th Weekly Meeting of Departments

In line with the Secretariat General's commitment to closely monitor the activities and progress of its departments, H.E. Prof. Koutoub Moustapha Sano, Secretary General of the Academy, chaired the 130th weekly meeting of department directors on Monday, 28th Rabi Al-Awal 1446, corresponding to 1 October 2024, at the IIFA headquarters in Jeddah, Kingdom of Saudi Arabia. At the start of the meeting, the Secretary General expressed his gratitude to the participants for attending and congratulated them on the success of the medical-fiqh symposium held in collaboration with the Saudi Food and Drug Authority on 21-22 Rabi' I, 1446, corresponding to 24-25 September 2024. He noted that the symposium met its primary

objectives and highlighted its importance due to its relevance to the evolving halal industry in Muslim countries and communities. His Excellency also emphasized IIFA's intention to organize more conferences in this field, particularly addressing halal industry issues in Muslim communities, and stressed the need to continue providing Sharia guidance on such topics. The meeting reviewed previous decisions and made new resolutions, including:

- Summarizing the recommendations and conclusions of the Cultured Meat Symposium for distribution to participants for feedback.
- Including documents issued by the OIC and MWL, such as the Makkah Document, the Building Bridges



Declaration, and the Women in Islam Declaration, in the documentation for the upcoming 26th session to be adopted by the Academy Council.

- Proposing five topics for study and research to present to the General Presidency of the Two Holy Mosques for a potential joint conference or symposium.



## 131st Weekly Meeting of Departments

H.E. Prof. Koutoub Moustapha Sano, Secretary General of the Academy, chaired the 131st weekly meeting of IIFA's departments on Monday, 04 Rabi Al-Akhir 1446, corresponding to 07 October 2024, at IIFA's headquarters in Jeddah. At the beginning of the meeting, the Secretary General welcomed the attendees and emphasized the importance of effective administrative organization within the departments. He highlighted the need for department staff to step in and attend meetings when their respective directors are unavailable. He also shared the Academy's intention to organize a specialized scientific symposium on "Sharia Supervisory Boards in Islamic



Financial Institutions: Reality and Prospects" and stressed the importance of beginning the conceptualization and preparation process for the event. The meeting reviewed previous decisions and issued new ones, including:

- Sending a request to H.E. Sheikh Abdullah bin Bayyah, President of

the UAE Fatwa Council, to host the 27th session of the Academy.

- Finalizing the summary of the recommendations and conclusions from the Cultured Meat Symposium, in line with its thematic program.
- Reviewing the documents issued by the MWL and OIC, such as the Makkah Document, the Building Bridges Declaration, and the Muslim Women's Declaration, and including them in the 26th session agenda for adoption by the Academy Council as part of its resolutions and recommendations.

## 61st Periodic Meeting of Divisions



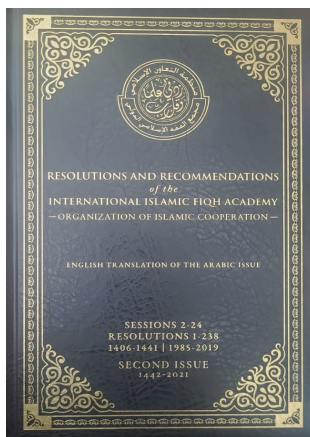
H.E. Prof. Koutoub Moustapha Sano, Secretary General of the Academy, chaired the sixty-first periodic meeting of the heads of divisions on Thursday, 05 Muharam 1446, corresponding to 11 July 2024, at the Academy in Jeddah.

His Excellency greeted the heads of divisions, and then spoke of the need to continue to follow the preparations for the 26th Session to be held in the State of Qatar from 3 to 7 November 2024, and to work as a team, demonstrating a spirit of cooperation and solidarity, as was the case at the previous session in Jeddah, in order to accomplish all the tasks and make the session a huge success. His Excellency also referred to the medical-fiqh symposium on cultured meat to be held on 24 and 25 September 2024 in collaboration with the Saudi Food and Drug Authority in Jeddah.

The meeting reviewed previous decisions and new decisions were issued, including:

- Sending the final version of the book of resolutions in English and French to the printer.
- Finalizing the translation of all MoUs and MoCs signed by IIFA.
- Uploading IIFA's videos to its YouTube channel and social media, including lectures and news, regularly.
- Designing the brochure for the cultured meat symposium.

## 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 humanity that will remain forever on earth.



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. 107 (1/12) Supply and Bidding Contracts

The Council of the International Islamic Fiqh Academy of the Organization of the Islamic Conference, holding its 12th session in Riyadh, Kingdom of Saudi Arabia, on 25 Jumādā al-Ākhirah – 1 Rajab 1421h (23–28 September 2000), Having examined the research papers submitted to the Academy concerning Supply and Bidding Contracts, Having listened to the discussions of the Academy's members and experts and several Fiqh scholars on the subject, Resolves

#### 1. Supply Contracts

First: A supply contract is a contract under which the first party undertakes to deliver, at specific periods, successive amounts of a well-defined commodity to another party, for a specific sum of money with a total or partial deferred payment. Second: If the commodity in question is of the type that needs to be manufactured, the contract is *Istiṣnāʾ* and should abide by the *Istiṣnāʾ* rulings as stipulated in the Academy resolution no. 65 (3/7). Third: If the commodity is not of the type that needs manufacturing and if it is a well-defined commodity that should be delivered at a specific future date, the contract may be of two forms:

1. When the orderer pays the whole price when signing the contract, this contract will then abide by Shariah rulings on *Salam* and thus becomes permissible as provided for in the Academy resolution no. 85 (2/9).

2. When the orderer does not pay the whole price when signing the contract, this contract becomes not permissible if it is based on the exchange of binding mutual promises (*Muwāʿadah*) between the two. The impermissibility of such arrangement, as indicated in the Academy resolution nos. 40–41, is due to the fact that the exchange of binding promises between any two parties is similar to concluding a contract. Hence, a sale

## Resolutions and Recommendations of the 12th Session of the Council of the International Islamic Fiqh Academy Riyadh - Kingdom Of Saudi Arabia 25 Jum d al- khirah – 1 Rajab / 1421 23–28 September 2000

contract concluded in this manner would entail the prohibited practice of selling debt for a debt. If, however, the promises exchanged between the two parties are not binding on one or both of them, the transaction becomes permissible provided that the sale should be concluded with either a new contract or on delivery.

#### 2. Bidding Contracts

First: Bidding means asking for the lowest price offer to purchase a commodity or a service. The party requesting the commodity or service calls for bids from interested suppliers according to given conditions and specifications. Second: Bidding is permissible in Shariah. It resembles auctioning; and therefore abides by the same rulings, whether bidding is public or limited, internal or external, open or discreet. The Academy issued a resolution no. 73 (8/4) in this regard at its eighth session. Third: It is permissible to restrict bidding to officially classified bidders or those who obtain government licenses, provided that such classification or licensing is based on equitable grounds.

Indeed, Allāh is All-Knowing.

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### Resolution No. 108 (2/12) Unsecured Credit Cards

The Council of the International Islamic Fiqh Academy of the Organization of the Islamic Conference, holding its 12th session in Riyadh, Kingdom of Saudi Arabia, on 25 Jumādā al-Ākhirah – 1 Rajab 1421h (23–28 September 2000), Based on the Academy resolution no. 63 (1/7) concerning Financial Markets, which resolved to postpone adopting a resolution on the Shariah characterization of this type of cards to the next session of the Academy, In reference to the Academy resolution no. 96 (4/10), Having examined the research papers submitted to the Academy concerning Credit Cards, Having listened to the discussions of Fiqh scholars and economists on the subject, Having recalled the Academy resolution no. 63 (1/7), which defined the credit card as follows: The credit card is a document given by its issuer to a natural or a legal person on the basis of a contract between them enabling the second party to buy goods or services from a vendor who approves the document, without paying the price immediately as the document includes the issuer's commitment to pay. Payment is made from the account of the issuer who will afterwards charge the cardholder at regular time intervals. Some issuers used to impose usurious interest on the total outstanding balance that the cardholders owe to

them, after due date of payment, while other do not. Resolves

First: It is not permissible to issue unsecured credit cards or use them if their terms involve the imposition of usurious interest. This is so even if the cardholder intends to pay within the moratorium period before charging interest. Second: It is permissible to issue unsecured credit cards that do not have a condition to charge interest on the debt. Permissibility of this transaction entails two further considerations:

1. The card issuer is permitted to charge from the cardholder a specific fee at the time of issuing or renewing the card. Such amount constitutes the actual fee that the issuer deserves according to the services it provides to the cardholder.

2. The issuing bank is permitted to charge a commission on the trader's goods or services purchased by the cardholder, provided that such goods or services are sold at the same price whether in cash or credit.

Third: Cash withdrawal is considered a loan from the card issuer and is therefore not objectionable under Shariah if it does not involve a usurious interest. The service charge for withdrawal is not considered usurious because it is not associated with the loan amount or its duration in exchange for this service. However, any other charge over the actual services is prohibited for being *Ribā*, which is prohibited by Shariah according to the Academy's two resolutions no. 10 (10/2) and no. 13 (1/3). Fourth: Unsecured credit cards are not permissible for the purchase of gold, silver, and currencies.

Indeed, Allāh is All-Knowing.

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### Resolution No. 109 (3/12) Penalty Clause

The Council of the International Islamic Fiqh Academy of the Organization of the Islamic Conference, holding its 12th session in Riyadh, Kingdom of Saudi Arabia, on 25 Jumādā al-Ākhirah – 1 Rajab 1421h (23–28 September 2000), Having examined the research papers submitted to the Academy concerning the Penalty Clause, Having listened to the discussion of the Academy's members and experts and other scholars, Resolves

First: A penalty clause, in legal terminology, is an agreement between the two contracting parties on how to assess the compensation for the entitled party in case of default or delay of the other party. Second: Confirming the Academy's previous resolutions concerning the penalty clause, namely:

- Resolution 85 (2/9) on *Salam*: "It is not

permissible to include a penalty clause for delay of providing the commodity since a commodity sold through Salam is a debt and it is not permissible to impose an additional charge for delayed repayment of debt.”

- Resolution no. 65 (3/7) on Istisnā': "It is permissible to include a penalty clause if both contracting parties agree, unless subject to inevitable."

- Resolution no. 51 (2/6) on Installment Sale: "When the purchaser delays the payment of due installments, it is not permissible to impose any additional charge whether by virtue of a predetermined condition or Such a practice amounts to a commitment of the prohibited usury."

Third: It is permissible to include the penalty clause in the original contract or make it a separate agreement that succeeds the contract prior to the occurrence of the anticipated loss.

Fourth: It is permissible to include a penalty clause in all financial contracts except when the original commitment is a debt. The imposition of a penalty clause in debt contracts is usurious in the strict sense. Accordingly, it is permissible, for instance, to make a penalty clause on the contractor in the construction contract, the supplier in supply contracts and the manufacturer in Istisna contracts if they fail to or delay in meeting their commitments. It is not permissible, for instance, to make a penalty clause in Installment Sale on a debtor who delays the payment of unpaid installments, whether due to insolvency or payment evasion. It is also not permissible to impose such a clause in the Istisna contract on a purchaser who fails to meet his obligations. Fifth: The loss, which is permissible to compensate, includes the actual financial loss suffered by the partner, any other material loss and the certainly realisable gain that he misses due to his partner's default or delay. This does not include moral prejudice. Sixth: The penalty clause should become null and void when the concerned partner proves that his failure to meet obligations was due to reasons that fall out of his control, or when he proves that his partner has suffered no loss as a result of his breach of the contract. Seventh: The Court is permitted, if so required by one of the two parties, to adjust the compensation amount, subject to a reasonable justification, or when the compensation proves to be exaggerated.

Recommendation

To organize a specialized symposium to research and study the terms and regulations that could be proposed to Islamic banks to guarantee the recovery of their owed debts.

Indeed, Allāh is All-Knowing.

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## Resolution No. 110 (4/12) Renting Ending in Ownership and Leasing Bonds

The Council of the International Islamic Fiqh Academy of the Organization of the Islamic Conference, holding its 12th session in Riyadh, Kingdom of Saudi Arabia, on 25 Jumādā al-Ākhirah – 1 Rajab 1421h (23–28 September 2000), Having examined the research papers submitted to the Academy concerning Renting Ending in Ownership and Leasing Bonds, Having listened to the discussions of the Academy's members and experts and other scholars, Resolves

1. Renting Ending in Ownership  
First: The criteria for the permissible and prohibited forms are as follows:

1. Prohibition Criteria:

When the transaction involves conclusion of two different contracts at the same time, for the same commodity and for the same duration.

1. Permissibility Criteria:

1. The presence of two completely separate and independent contracts as to the time of their conclusion, and in which the sale contract succeeds the lease contract or the presence of a promise allowing the lessee to become the owner at the end of the contractual period. The option and the promise are on an equal footing with regard to their Shariah rulings.

2. The existence of a genuine desire from both parties to conclude the lease contract and not just to use it as a mere veil for the sale contract.

3. The leased property should be guaranteed by the owner and not the lessee. In this sense, the owner should bear any damage that is not caused by the lessee's misuse or The lessee has nothing to bear, even if such damage has rendered the property completely useless.

4. If the contract includes property insurance, the cooperative insurance should be non-commercial, Shariah-compliant, and the sole liability of the owner.

5. During the entire lease period, the contract should be subjected to Shariah rulings regarding Ijara, whereas Shariah rulings on ownership should be observed when the property ownership is transferred to the lessee.

6. The cost of maintenance, excluding operational expenses, should be borne by the lessor and not by the lessee during the entire lease period.

Second: Some Prohibited Forms

1. A Renting Ending in Ownership contract that leads to the transfer of ownership to the lessee against the amounts of rent he pays during the contract period, without signing a separate sale. In other words, it is when the same lease contract automatically changes into a sale contract.

2. A Lease contract according to which the property is given to the lessee against a specific amount of rent and for a specific duration, coupled with a sale contract that becomes effective only when the lessee pays the whole amount of rent

agreed upon, or at a specified date in the future.

3. An appropriate lease contract including an option for the owner to sell the property to the lessee, at the end of the leasing period. The above-mentioned legal opinions have been adopted in the resolutions and fatwas of various Islamic authorities, including the Council of Senior Scholars of Saudi Arabia.

Third: Some Permissible Forms

1. A lease contract that allows the lessee to make use of the leased property against a specific amount of rent and for a specific period, along with a separate contract offering the property as a gift to the owner. The latter contract takes effect at the end of the lease period and when the lessee has paid all the amounts of rent agreed upon. A promise from the owner to give the property as a gift to the lessee, after the lease period and full payment of due rent, is also acceptable, as per the Academy resolution no. 13 (1/3) on Hibah (gifts) at its third session.

1. A lease contract offering the option to the lessee to purchase the property, after the lease period and the full payment of due rent, at the then-prevailing market price, as per the Academy resolution 44 (6/5) at its fourth session.

2. A lease contract that allows the lessee to use the leased property against a specific rent amount and for a specific period coupled with a promise from the owner to sell the property to the lessee, after the full payment of due rent, at a price to be mutually agreed.

3. A lease contract that allows the lessee to make use of the leased property for a specific amount of rent and a specific period, while the owner gives the option to the lessee to own the property at any time if he so wishes. The sale, in this case, is to be made according to a new contract in due time and at the then-prevailing market price, as per Academy resolution no. 44 (6/5), or at any other price to be agreed upon at the time of concluding the sale contract.

Fourth: There are some other forms of Renting Ending in Ownership that still remain controversial among Fuqahā (fiqh scholars). These forms require a thorough study to be presented to the Academy in one of its forthcoming sessions.

2. Leasing Bonds

The Academy resolved to postpone adopting a resolution on the subject, pending further research and study to be presented in one of its forthcoming sessions.

Indeed, Allāh is the Giver of success.

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## Resolution No. 111 (5/12) Investment of Awqāf Resources

The Council of the International Islamic Fiqh Academy of the Organization of the Islamic Conference, holding its 12th session in Riyadh, Kingdom of Saudi Arabia, on 25 Jumādā al-Ākhirah – 1 Rajab 1421h (23–28 September 2000),

Having examined the research papers submitted to the Academy concerning the Investment of Awqāf Resources,

Having listened to the discussions of the Academy's members and experts and other scholars,

Resolves

To postpone the issuance of a resolution on this subject, pending further research and studies, namely in the following aspects:

1. Investment of Financial
2. Ibdāl-Istibdāl (Sell-Exchange of Waqf).
3. Merging Awqāf
4. Differentiation between Waqf and
5. Indeed, Allāh is the Giver of success.

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## Resolution No. 112 (6/12) Legal Evidence by Presumptions and Signs

The Council of the International Islamic Fiqh Academy of the Organization of the Islamic Conference, holding its 12th session in Riyadh, Kingdom of Saudi Arabia, on 25 Jumādā al-Ākhirah – 1 Rajab 1421h (23–28 September 2000), Having examined the research papers submitted to the Academy concerning Legal Evidence by Presumptions and Signs,

Resolves  
To postpone the issuance of a resolution on this subject in order to restrain research on their new updates and Shariah rulings.

Indeed, Allāh is the Giver of success.

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## Resolution No. 113 (7/12) Rights of Children and Elders

The Council of the International Islamic Fiqh Academy of the Organization of the Islamic Conference, holding its 12th session in Riyadh, Kingdom of Saudi Arabia, on 25 Jumādā al-Ākhirah – 1 Rajab 1421h (23–28 September 2000), Having examined the research papers submitted to the Academy concerning the Rights of Children and

Elders,

Having reviewed the recommendations of the Medical Fiqh Symposium on the Rights of Children and Elders, held in the State of Kuwait under the auspices of the Academy and the Islamic Organization for Medical Sciences of Kuwait, on 9–12 Rajab 1420h (18–21 October 1999),

Having listened to the discussions of the Academy's members and experts and other scholars,

First: Rights of Children

The preservation of childhood is the foundation of a morally sound society. Islam has paid much attention to the observance of children's rights, urging people to get married and advising couples to carefully choose their prospective spouses to ensure a stable and healthy family environment.

Hence, the Academy resolves

1. The protection of the fetus in the womb from all types of practices that may be harmful to the fetus or the mother, such as alcohol and drugs, is an obligation according to Shariah.
2. The fetus has the right to survive from the beginning of its formation. Hence, it should not be subjected to hazardous acts such as abortion, deformation or any other
3. After birth, every child enjoys several financial and moral rights. His material rights include, among others, the rights of ownership, inheritance, bequest, donation and Waqf, while his moral rights include the right to have a good name, a kinship, religious upbringing and a national
4. Society and the state must guarantee the rights of all children, including orphans, foundlings, homeless children, and child victims of war who have no one to support them.
5. The child has the right to natural breastfeeding up to the age of
6. The child has the right to be nursed and raised in an appropriate and healthy family. The mother, if capable, is the most suitable person to look after him, followed by another kin in the order prescribed by the Shariah.
7. Guardianship over the child's person and property, whether by relatives or a legal authority, is an indispensable right for the child. This right must be guaranteed until the child reaches maturity, then he should be left free to manage his own affairs.
8. Proper upbringing, moral commitment, education, training, gaining experience, self-reliance, and acquiring professional skills permissible under Shariah, are among the children's most fundamental rights. In addition, gifted children should be given special attention to developing their exceptional All of these measures must be taken within the guidelines of Shariah.
9. Islam prohibits neglect of children, whether by parents or any other person, to safeguard them from vagrancy and loss. It also prohibits the exploitation of children by subjecting them to work that leads to the abuse of their physical, mental, and psychological capacities.
10. Assault on the beliefs, personality, honor,

property and minds of children is a serious crime in Islam.

Second: Rights of Elders

Islam has given much attention to human being at the various stages of his/ her life. Honoring all descendants of Adam is a well-emphasized aspect of the Shariah as Allāh the Almighty said in the Holy Quran, «We have certainly honored the children of Adam,» (Al-Isrā', 70) and He also said, «And your Lord has decreed that you worship not except Him, and to parents, good treatment.» (Al-Isrā', 23) In this regard, Prophet Muhammad SAW said, «Every youth who honors an aged for the sake of being so, Allāh will make somebody else do the same with him at that age,» reported by al-Tirmidhī. The Prophet SAW also said, «Alienated from us, he who neither confers mercy upon our young nor acknowledges the honor of our aged,» reported by al-Tirmidhī and Aḥmad.

Hence, the Academy resolves

1. An elder should be enlightened about his needs in order to enjoy a healthy physical, spiritual and social life. He should also be enlightened about the rulings and guidelines of Shariah for the fulfillment of his religious and social commitments, as well as for the blessing and reward of Allāh the Almighty.
  2. Elders should have a role to play in their societies and should enjoy all human rights.
  3. The family is the best place where an elder can enjoy a happy life. In such an environment, the elder will be in a position to receive support from his children, grandchildren, relatives, friends and neighbours. For those who have no families to stay with, a proper family environment has to be made available to them at the aged hostel.
  4. Educational systems and mass media should be used to raise public awareness of the position of the elderly and their rights, with emphasis on filial piety.
  5. Aged hostels should be established to accommodate those who have no one to support them or those whose families are unable to support
  6. More attention should be given to promoting geriatric studies in medical colleges and health institutes, training physicians on diagnosis and treatment of geriatric diseases and establishing specialized geriatrics centers in hospitals.
  7. Elders should have their special seats in public transportation and public places and their special areas in parking lots.
  8. Adopting the Kuwait Declaration on the Rights of the
- Indeed, Allāh is All-Knowing

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## Resolution No. 114 (8/12) The Islamic Declaration on the Role of Women in the Development of Muslim Society



The Council of the International Islamic Fiqh Academy of the Organization of the Islamic Conference, holding its 12th session in Riyadh, Kingdom of Saudi Arabia, on 25 Jumādā al-Ākhirah – 1 Rajab 1421h (23–28 September 2000), Having reviewed the recommendations of the Expert Symposium on The Role of Women in the Development of Muslim Society held in Tehran, Islamic Republic of Iran on 17–19 Dhū al-Qi'dah 1415h (17–19 April 1995), in implementation of resolution no. (10/7) of the Seventh Islamic Summit, which the Ifṭā Division amended at the ninth and tenth sessions of the Academy, Emphasizing the values that Islam has conferred on women, but violated by the international conferences, particularly those of Cairo, Beijing and others, In light of the previous Islamic declarations against such abominable campaigns,

Resolves  
First: One of the objectives of Islam is to build a society in which both man and woman have a vital role to play in the process of development and prosperity. For this reason, Islam has given women their full rights that correspond to their character, abilities, needs, aspirations and essential role in life. In Islam, society is considered a unit within which the integral roles of man and woman are to be determined. The Holy Quran and the Sunnah also emphasize the unity of the Ummah as a whole, state the distinct characteristics of men and women, and specify the position of each in Muslim society.

Second: A family that is based on an Islamic marriage constitutes the cornerstone of a healthy society. Therefore, Islam prohibits any other form of constituting a family. It also prohibits any other alternative relationships that fall beyond Shariah boundaries. By virtue of motherhood and other characteristics, women play a vital role in the stability and prosperity of the family.

Third: Motherhood is one of the natural roles of the woman, which she can only fulfill properly and build up the generations to come if she obtains all the rights given to her by Islam, which also help her fulfill her duties in her own areas of life.

Fourth: Women and men are equal in the sense that both enjoy the honor of belonging to humanity. Moreover, women have various rights and obligations that correspond to their nature, abilities and character. Although men and women have different natural characteristics, their responsibilities are considered complementary in Shariah.

Fifth: Call on for the respect of women in all areas of life and rejects all offensive practices that she suffers from at the present times, such as domestic violence, sexual exploitation, licentious practices, prostitution, procurement and inducement of women to commit adultery. These practices are quite prevalent in societies that degrade women and disregard their Islamic rights. Islam is sacrosanct from all these evil practices.

Sixth: Media should enhance the positive role of women in society and reject any form of exploitation

of women, for example, by using them as a medium in the shameful commercial advertising presentations and thus abusing their character and dignity.

Seventh: Exert extensive effort to alleviate the sufferings of women, especially Muslim women who are victims of violent struggles, colonization, poverty and foreign economic pressures.

Eighth: Comprehensive and sustainable development can be achieved only on solid religious and moral grounds. This necessitates the rejection of all attempts to impose foreign cultural and social concepts on the society with the condemnation of the perpetual attacks against Shariah rulings related to women. Ninth: Denunciate some governments' practices in preventing Muslim women from practicing their religion, observing its directives, and divine commands concerning modesty as in the case of the observance of hijāb.

Tenth: Work on separating women's educational institutions at all levels from those of men so that female students can practice their full rights under Shariah and adhere to their religious directives.

Eleventh: The original sources of Shariah shall be the only reference for the interpretation and elaboration of the clauses of this declaration.

Indeed, Allāh is All-Knowing.

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## Resolution No. 115 (9/12) Inflation and the Changing Value of Currency

The Council of the International Islamic Fiqh Academy of the Organization of the Islamic Conference, holding its 12th session in Riyadh, Kingdom of Saudi Arabia, on 25 Jumādā al-Ākhirah – 1 Rajab 1421h (23–28 September 2000), Having reviewed the final statement, recommendations, and suggestions of the Economic Fiqh Symposium on Inflation Issues (in its three sessions at Jeddah, Kuala Lumpur, and Manama), Having listened to the discussions of the Academy's members and experts and other scholars,

Resolves  
First: Confirming the Academy resolution no. 42 (4/5), which stated that "The norm in the settlement of debt incurred in a specific currency is that it should be settled in the same (currency), rather than in value terms, for debts must be settled in an identical resource, and fixed debts, whatever their origin, are not permissible to be tied to the level of prices." Second: It is permissible for both parties, and as a precautionary measure against an expected inflation, to make the debt in terms of a medium other than the currency that will decline in value. In this case, debt can be contracted by one of the following means:

1. Gold or silver
2. A homogeneous commodity
3. A homogeneous commodities basket

4. Another more stable currency

5. Currency basket

The amount repaid in the above forms should be exactly similar to the original debt (concerning the amount and type of currency), as the borrower should be indebted with no more than what he has received actually. The aforementioned forms differ totally from the prohibited arrangement in which the two parties first specify the debt amount in a certain currency, and then agree that the settlement would be made in another stable currency or basket of currencies (indexation). This latter arrangement has been strictly prohibited by the Academy resolution no. 75 (6/8) paragraph (4). Third: It is not permissible in Shariah, at the time of concluding the debt contract, to link the repayable amount to any of the following cases:

1. An accounting
2. Cost of living index or any other index.
3. Gold or
4. The price of a specific
5. Growth rate of the Gross National Product (GNP).

6. Another
7. Interest
8. The price of a commodities

Indexation in this way is prohibited because it involves a great deal of Gharar and Jahālah (uncertainty and lack of information) since both parties will not be able to know what the commitment will be at the end. This lack of information violates one of the fundamental conditions for the validity of the contract. If the indicator used for indexation happens to show an increase, this will lead to discrepancy between the original debt amount and the amount to be repaid i.e. commitment of usury.

Fourth: Indexation of Salaries and Rents

1. Confirming the Academy resolution no. 75 (6/8) clause no. 1, which stipulates the permissibility of indexing salaries according to the change in the price rate.

2. It is permissible to both contracting parties, in case of long period leasing of property, to specify the amount of rent of the first period and then agree in the contract on indexation of the rent for the forthcoming periods according to a specific indicator, provided that the rent amount becomes known at the beginning of every period. Recommendations

1. Since the main cause of inflation is the increase in the quantity of money issued by the relevant authorities for various well-known reasons, the Academy calls upon these authorities to make every effort to eliminate this underlying factor which causes great harm to society. Inflationary financing, whether to reduce the budget deficit or to finance development programs, should be. At the same time, the Academy urges

Muslim societies to abide by Islamic values in matters of spending and to refrain from extravagance, wealth and profligacy that lead to inflation.

2. Increasing economic cooperation among Muslim countries, particularly in trade

and exerting efforts to substitute industrial imports from industrialized countries with similar products from Muslim countries. Efforts should also be made to strengthen the negotiative and competitive position of Muslim countries.

3. Conducting studies at the level of Islamic banks to determine the effect of inflation on its assets and propose suitable measures for safeguarding depositors and investors against adverse effects of inflation; Also, conducting studies, at the level of Islamic financial institutions, to develop accounting standards that could be used during inflation.

4. Conducting a study on the extensive use of Islamic financing and investment instruments on inflation and their effect on the Shariah ruling relating to them.

5. Study the possibility of returning to some form of linking currency with gold standard in order to avoid inflation.

6. Considering that increasing production and the actual utilization of the production capacity are two of the main methods of fighting inflation in the short and medium term, efforts should be made to improve the volume and quality of production in Muslim countries. This could be achieved by devising plans and measures that stimulate savings and investment levels and thus facilitate the attainment of sustainable

7. The Council calls upon the governments of Muslim countries to exercise stricter control over their budgets (including current, development and independent budgets) that draw on public revenue sources. These criteria include minimizing and rationalizing public expenditures in light of the directives of Shariah. When it is absolutely necessary to find ways to meet the budget deficit, governments of Muslim countries should resort to common Islamic financial instruments based on partnership, sale and They should refrain from usurious borrowing, either from banks and financial institutions or through the issuance of debt bonds.

8. Adherence to Shariah criteria on using fiscal policy instruments, whether in the manipulation of revenues or public expenditures. This could be done by establishing such policies on the principles of justice, public interest, helping the poor and distributing the tax burden fairly among members of society so that each takes the share that corresponds to his or her financial capacity (measured in terms of income and wealth).

9. It is necessary to use all the Shariah-accepted tools in fiscal and monetary policies as well as the methods of moral persuasion and economic and administrative policies to protect Muslim societies from the harms of These arrangements should aim towards reducing the rate of inflation to a minimum.

10. Make the necessary arrangements to ensure the independence of central banks' decision-making in monetary management and their commitment to achieving stability and combat against inflation. Moreover, arrangements shall be made to facilitate continuous cooperation between the central bank and the economic and financial authorities to achieve economic development, economic and monetary

stability, and the elimination of unemployment.

11. Conducting in-depth studies of public enterprises to assess their economic feasibility and to consider the possibility of privatizing them according to the Islamic method. Such arrangements are expected to improve the productivity of privatized enterprises, reduce the budgetary burden and thus mitigate the adverse effects of inflation.

12. The Academy urges Muslims and Muslim governments to abide by the rulings of Shariah and respect its economic, educational, moral and social

13. Solutions to inflation: The Academy resolved to postpone the discussion on the proposed solutions to inflation to one of its forthcoming sessions.

Indeed, Allāh is the Giver of success.

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### Resolution No. 116 (10/12) Translation of the Noble Quran

The Council of the International Islamic Fiqh Academy of the Organization of the Islamic Conference, holding its 12th session in Riyadh, Kingdom of Saudi Arabia, on 25 Jumādā al-Ākhirah – 1 Rajab 1421h (23–28 September 2000), Having reviewed the working paper on the Translation of the Meanings of the Holy Quran, received from the Secretariat General of the Conference of the Ministers of Awqāf and Islamic Affairs, which was prepared by the King Fahd Glorious Quran Printing Complex, concerning the criteria, special conditions and procedures for the translation of the meaning of the Holy Quran, Having examined the above subject in detail, Having listened to the in-depth discussions of the Academy's members and experts and other scholars, Resolves

Approval of all the articles indicated in the working paper concerning the translation of the meanings of the Holy Quran. Recommendation

The establishment of an organization specialized in Tafsir (Exegesis) and the Sciences of the Holy Quran, which should be attached to the King Fahd Glorious Quran Printing Complex.

Indeed, Allāh is the Giver of success.

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### Resolution No. 117 (11/12) The Creation of an Islamic Organization for the Noble Quran

The Council of the International Islamic Fiqh Academy of the Organization of the Islamic Conference, holding its 12th session in Riyadh,

Kingdom of Saudi Arabia, on 25 Jumādā al-Ākhirah – 1 Rajab 1421h (23–28 September 2000), Having examined the items and contents of the working paper regarding the Creation of an International Islamic Organization for the Holy Quran, submitted by the Ministry of Awqāf and Islamic Affairs of the State of Qatar, Having discussed the subject in depth, Resolves

Coordination be made in this regard between the Ministry of Awqāf and Islamic Affairs of the State of Qatar, the Ministry of Awqāf and Islamic Affairs of the Kingdom of Saudi Arabia, and the King Fahd Glorious Quran Printing Complex. Indeed, Allāh is the Giver of success.

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### Resolution No. 118 (12/12) Al-Quds al-Sharif (Jerusalem)

The Council of the International Islamic Fiqh Academy of the Organization of the Islamic Conference, holding its 12th session in Riyadh, Kingdom of Saudi Arabia, on 25 Jumādā al-Ākhirah – 1 Rajab 1421h (23–28 September 2000), Having followed the aggressive statements and unfair suggestions by Israeli officials regarding al-Quds al-Sharif (Jerusalem), Resolves

1. Jerusalem constitutes a part of the Muslim creed. It concerns Muslims worldwide because this city witnessed the miracle of Isra and Miraj (Prophet Muhammad's Night Journey and Ascention to the Seven Skies) mentioned in the Holy Quran.

2. The fact that Jerusalem is an Islamic city is well underlined in the Quran and can never be revoked, changed or amended. There is no room for midway solutions in this regard.

3. Al-Aqsa Mosque is for Muslims only, and Jews have no connection with this It is, therefore, necessary to beware of the dangers of violating the sanctity of this Mosque. The Israeli occupation authorities are held responsible for any offensive action that may take place against it. The status of Al-Aqsa Mosque is far above all negotiations and reconciliation efforts.

4. A just peace and stability in the region can never be achieved until Zionist Jews refrain from occupying Jerusalem and its Holy Mosque and return Palestine to its people. Recommendation

The participants in this session call on the leaders and peoples of the Muslim and Arab world to defend al-Quds and Al-Aqsa Mosque and support its inhabitants, who have already engaged in the struggle, to stop the judaization and internationalization of the city, which will never be accepted. Indeed, Allāh is the Giver of success.

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