

المجلس الأوروبي
لإفتاء والبحوث

The European Council for Fatwa and Research

Located at 19 Roebuck Rd, Clonskeagh, D 14
Dublin – Ireland

In the Name of Allah, The Most Gracious, The Most Merciful

- **Title, Description and Headquarters**

"The European Council for Fatwa and Research" is an Islamic, specialised and independent entity which comprises of a number of scholars.

Its current headquarters is in the Republic of Ireland.

- **The Inaugural Meeting**

The Inaugural Meeting of the European Council for Fatwa and Research was held in London, UK, on 21-22 Dhul Qi'da 1417AH, 29-30 March 1997. The meeting was attended by more than 15 scholars who responded to the invitation of the Federation of Islamic Organisations in Europe. This meeting saw the endorsement of the Draft Constitution of the ECFR.

- **Objectives**

The Council shall attempt to achieve the following aims and objectives:

1- Achieving proximity and bringing together the scholars who live in Europe, and attempting to unify the jurisprudence views between them in regards with the main Fiqh issues.

2- Issuing collective fatwas which meet the needs of Muslims in Europe, solve their problems and regulate their interaction with the European communities, all within the regulations and objectives of Shari'a.

3- Publishing legal studies and research, which resolve the arising issues in Europe in a manner which realises the objectives of Sharia and the interests of people.

4- Guiding Muslims in Europe generally and those working for Islam particularly, through spreading the proper Islamic concepts and decisive legal fatwas.

- **Means and Methods**

1- Forming specialized committees from among the Council members, which may carry a temporary or permanent mandate, and to which specific tasks which fall within the scope of the Council aims and objectives, will be assigned

2- Relying upon the sound and appropriate fiqh resources particularly those which are based upon sound evidence.

3- Taking full advantage of the fatwas and research which have been issued from the various fiqh establishments and other scientific and academic bodies.

4- Making relentless efforts with the official authorities in European countries to acknowledge and officially recognise the Council, and to refer to the Council in reference to Islamic judgements.

5- Holding Shari'a courses which would qualify and rehabilitate scholars and workers for Islamic Da'wa.

6- Holding seminars to discuss various fiqh issues.

7- Publishing information and periodical and non-periodical fatwas and translating Fatwas, studies and research to the various European languages.

8- Publishing a periodical which contains selected Fatwas issued by the Council as well as various papers and issues discussed and debated therein.

- **Source and Conditions of Fatwa**

In issuing a Fatwa, the following shall be observed:

1- Sources of Islamic legislation agreed upon by the majority of the Ummah, which are: Quran, Sunna, Consensus (Ijma'a) and Analogy (Qiyas).

2- The various other sources of legislation which are not entirely agreed upon such as preference (Istihsan), public interest (Maslaha Mursala), disadvantage prevention (Sad al-Thara'i), relativity (Istishab), tradition or custom (Urf), companions school (Mathab Sahabi), and the legislation of those before us (Shar'u man Qablana), considering the necessary conditions and regulations stated by the people of knowledge, particularly if the interest of the Ummah would be realised by considering these sources.

- **The ECFR bases its methodology upon:**

1- The four schools of Fiqh (mathahib) as well as all other schools of the people of Fiqh knowledge are regarded as a resource of immense wealth, from which is chosen whatever is supported by the correct and sound evidence and achieves the best interest.

2- In making a Fatwa, the Council shall offer the correct evidence in support and shall refer to the authorised and accredited source along with full awareness of the current situation and provide the option which does not create difficulty or inconvenience.

3- The aims and objectives of Shari'a must be taken into consideration, whilst the outlawed deceptions and crooked solutions which contradict the aims of Shari'a, are to be avoided in all cases.

- **Manner of Issuing a Fatwa**

Fatwas and resolutions are issued in the name of the Council during its Ordinary or Emergency sessions, by virtue of a consensus where possible, or by absolute majority. A member who has objections or reservations to the Fatwa has the right to record his reservation according to what is customary practice in Fiqh councils.

According to the Constitution, the President and members of the Council may not issue fatwas in the name of the Council without its approval. However, each member may issue

a fatwa with his personal endorsement without mentioning his status within the Council nor using the official letterhead of the Council.

- **Membership of the Council**

The Constitution decreed that the following conditions must be fulfilled by each member:

- 1- To be of appropriate legal (sharia) qualification at university level, or to have been committed to the meetings and circles of scholars and subsequently licensed by them, and to be of sound Arabic language.
- 2- To be of good conduct and commitment to the regulations and manners of Islamic Sharia.
- 3- To be resident of the European continent.
- 4- To enjoy the knowledge of legal jurisprudence (fiqh) as well as awareness of current environment.
- 5- To be approved by the absolute majority of members.

The Constitution also stated that the members of the Council may select a number of scholars who do not normally reside in Europe but who otherwise fulfill the conditions of membership, to become members of the Council, given that their selection is approved by the absolute majority of members. Such members must not constitute more than 25% of the total members of the Council at any one time.

In selecting members to the Council, the representation of European countries with significant Islamic presence is to be taken into consideration as well as their representation of the various jurisprudence schools (mathahib).

In approving a nomination for new membership, the recommendation of three trusted scholars is to be sought.

- **Periodical Meetings of the Council**

The Constitution states that the Council shall hold an Ordinary session once every year to discuss the studies and research presented in relation to various matters of concern to the Muslim community in Europe. The Council shall also endeavour to answer any questions which have been submitted and require collective deliberations.

The Constitution also gives permission to invite the expert contribution of various specialized individuals, and request their attendance of the sessions in which their field of expertise is discussed, without having the right of voting.

Since it was established and up to the date of publishing this Introduction, the ECFR has convened three sessions:

The First Session, in Sarajevo, Bosnia between 24-26 Rabi'i Al-Thani 1418AH, 28-30 August 1997. This session was hosted by the Honourable Mustafa Ceric, Head of Bosnian Scholars.

The Second Session, in Dublin, Ireland, between 19-21 Jumada Al-Akhira 1419AH, 9-11 October 1998, hosted by Al-Maktoum Charity Organisation in the Islamic Cultural Centre.

The Third Session, in Cologne, Germany between 4-7 Safar 1420AH, 19-22 May 1999, hosted by Milli Gurus.

The Fourth Session, in Dublin, Ireland between 18-22 Rajab 1420 AH, 27-31 October 1999, hosted by Al-Maktoum Charity Organisation in the Islamic Cultural Centre.

The Fifth Session, in Dublin, Ireland between 30 Muharram – 3 Safar 1421AH, 4-7 May, 2000, hosted by Al-Maktoum Charity Organisation in the Islamic Cultural Centre.

The Sixth Session, at the newly approved Council Head Quarters in Dublin, Ireland between 18 Jumada Al-Ula and 3 Jumada Al-Akhir 1421 AH, 18 August and 1 September 2000.

The Seventh Session, at the Council Head Quarters in Dublin, Ireland between 29 Shawwal and 4 Dhul Qi'da 1421AH, 24-28 January 2001.

The Eighth Session, in Valencia, Spain between 26 Rabi' Thani to 1 Jumada Al-Awwal 1422AH, 18-22 July 2001.

The Council, during these sessions, discussed a number of major issues and matters of concern to Muslims in Europe, and also responded to a number of questions which had arrived to the Council.

- **Sub-Committees for Fatwa in France and Britain:**

Due to the lengthy recess of the Council, as well as its heavy workload during sessions, and due to its desire to respond to as many questions submitted as possible, it agreed in its Second Session, to establish 2 sub-committees for Fatwa; one in France and another in the UK. Both Committees have started practicing their respective responsibilities since then. The Council also established a Research and Studies Committee which was assigned the task of publishing the Council periodical and also collects and submits all studies and papers relevant to the issues being deliberated by the Council in order to assist it in reaching the most appropriate resolutions.

Allah alone is the provider of success and support.

Sheikh Hussein Mohammed Halawa
General Secretary of ECFR

- **The Members of the European Council for Fatwa and Research**

1. Professor Yusuf Al-Qaradawi, President of ECFR (Egypt, Qatar)
2. Judge Sheikh Faisal Maulawi, Vice-President (Lebanon)

3. Sheikh Hussein Mohammed Halawa, General Secretary (Ireland)
4. Sheikh Dr. Ahmad Jaballah (France)
5. Sheikh Dr. Ahmed Ali Al-Imam (Sudan)
6. Sheikh Mufti Ismail Kashouffi (UK)
7. Ustadh Ahmed Kadhem Al-Rawi (UK)
8. Sheikh Ounis Qurqah (France)
9. Sheikh Rashid Al-Ghanouchi (UK)
10. Sheikh Dr. Abdullah Ibn Bayya (Saudi Arabia)
11. Sheikh Abdul Raheem Al-Taweel (Spain)
12. Judge Sheikh Abdullah Ibn Ali Salem (Mauritania)
13. Sheikh Abdullah Ibn Yusuf Al-Judai, (UK)
14. Sheikh Abdul Majeed Al-Najjar
15. Sheikh Abdullah ibn Sulayman Al-Manee' (Saudi Arabia)
16. Sheikh Dr. Abdul Sattar Abu Ghudda (Saudi Arabia)
17. Sheikh Dr. Ajeel Al-Nashmi (Kuwait)
18. Sheikh Al-Arabi Al-Bichri (France)
19. Sheikh Dr. Issam Al-Bashir (Sudan)
20. Sheikh Ali Qaradaghi (Qatar)
21. Sheikh Dr. Suhaib Hasan Ahmed (UK)
22. Sheikh Tahir Mahdi (France)
23. Sheikh Mahboub-ul-Rahman (Norway)
24. Sheikh Muhammed Taqi Othmani (Pakistan)
25. Sheikh Muhammed Siddique (Germany)
26. Sheikh Muhammed Ali Saleh Al-Mansour (UAE)
27. Sheikh Dr. Muhammed Al-Hawari (Germany)
28. Sheikh Mahumoud Mujahed (Belguim)
29. Sheikh Dr. Mustafa Ciric (Bosnia)
30. Sheikh Nihad Abdul Quddous Ciftci (Germany)
31. Sheikh Dr. Naser Ibn Abdullah Al-Mayman (Saudi Arabia)
32. Sheikh Yusuf Ibram (Switzerland)
33. Sheikh Salem Shekhi (UK)
34. Sheikh ELBAKALI ELKHAMMAR (Holland)
35. Sheikh Mustafa Mollaoglo (Germany)
36. Sheikh Dr.Salah Soltan (USA)
37. Sheikh Dr. Gamal Badawi (Canada)
38. Sheikh Dr. Hussien Hamed (Egypt)