

IN THE NAME OF ALLAH (SWT) THE MOST MERCIFUL AND THE MOST  
COMPASSIONATE

*All praise be to Allah, the Lord of the Universe, and His Prayers and Blessings be upon  
His last Prophet Muhammad and his Family and his companions.*

### **Islamic ruling on organ transplantation**

The issue of Organ Transplantation has been under discussion for a long period of time. The first session took place at the office of His Eminence, the Grand Mufti of Australia, on the 8th of February 2013. This was followed by several meetings, in which related research papers- presented at international conferences by renowned medical and Islamic scholars- were consulted. Those papers provided thorough explanation from all aspects of Organ Transplantation in Islam, and are available for researchers with interest in this area of study.

From his position as the Grand Mufti of Australia, His Eminence felt the need of conducting his own investigation for more scholarly and jurisprudential reassurance. For this purpose, several meetings in Sydney and Melbourne were held with the participation of a number of Islamic scholars and medical experts in Australia. On the 27th of November 2013, a meeting was held at the premises of the office of the Mufti with:

1. Sheikh Abdulsalam Zoud, Member of the Federal Council of Imams;
2. Sheikh Khaled Taleb, Secretary of the NSW Council of Imams;
3. Engineer Abdullah Alazzawi, Officer of Public Relations and Media, Office of the Grand Mufti of Australia;
4. Sheikh Youssef Bir, Member of the Board of Imams- Brisbane;
5. Mr. Samir Bin Qadhi, the Grand Mufti's Advisor- Sydney;
6. Mr. Abdullah Rahal, Lawyer and Office Manager, Office of the Grand Mufti of Australia Office;

The meeting also included a group of medical experts on the issue of Organ Transplantation:

7. Dr Yahya Shehabi, Director of Intensive Care Research at Prince of Wales Hospitals - Sydney;
8. Dr Yahya Saleh, Gynaecologist and Obstetrician- Sydney;
9. Dr Hamed Almafraji, Cardio-vascular Specialist- Sydney;
10. Dr Jonathan Gillis, National Medical Director, Organ and Tissue Authority- ACT;
11. Ms Paula Masselos, Director of Strategic Communications at Cultural Partners Australia and Consultant to the Organ and Tissue Authority- Sydney;
12. Ms Claire Farmer, Assistant Director, Social Marketing and Communications, at the Organ and Tissue Authority- Sydney; and
13. On a video telephone link was Dr Abdulraziq Ahmad, Consultant of Internal Medicine and the Mufti's Advisor- Newcastle.

A detailed audio-visual PowerPoint presentation was given to illustrate the stages and signs of brain-death as well as the Standard Australian medical testing procedures used to confidently pronounce that death had taken place. Furthermore, the presentation outlined the differences between brain-death and coma (in that some patients can enter a coma for years before they wake up again) and explained the different techniques of Life Support (esp. Respiratory Support). The discussions at this meeting and the other technical and medical details were video-recorded and may be revised upon request.

Another meeting was held in Victoria on the 23rd of February, 2014 and included:

1. His Eminence Prof. Ibrahim Abu Muhammad, the Grand Mufti of Australia;
2. Dr. Nezor Houli, Hepatobiliary & Pancreatic, General and Laparoscopic Surgeon, Liver Transplant Surgeon- Melbourne;

3. Sheikh Eissa Mousa, Member of the Fatwa Committee and Member of the Board of Imams;

4. Sheikh Abdulla Hawwari, Member of the Board of Imams;

After a thorough discussion, Dr. Nezor Houli's position came in agreement with the conclusion of the previously held committee.

We, therefore, have reached to the following conclusions:

Firstly: In its essence, Organ Transplantation in Islam is permissible as long as the organ is donated (not sold), due to the benefits it brings not only to the recipient, but also to the deceased donor through earning Allah's reward. Allah said in the Holy Qur'an in the Chapter of Al-Ma'idah, verse number 32: "And whoever saves one [a human life]" it is as if he had saved mankind entirely.

Secondly: The organ donor must clearly state his/ her full consent to the transplant. This consent statement must be made without any form of compulsion, and to the best of donor's knowledge and belief with his/ her full willingness and mental capacity. The donor should register their donation decision with the Australian Organ Donor Register, and finally the donor must inform his/ her family.

Thirdly: According to Australian Law, clinical death is considered real and legal only when medical reports confirm the death of the brain (after undertaking all necessary tests and procedures). Organ transplantation must NOT take place until two separate medical doctors conduct all the necessary tests and procedures to confirm brain-death. Only then can the process of organ transplantation from the body of the deceased- donor to the body of the recipient take place.

Fourthly: It is permissible for the donor to donate any organ of his/ her body. For fear of intermixing of lineages, however, this permission excludes the donation of male or female reproductive system organs. It is, therefore, not permissible to donate testicles or uterus (womb), during the donor's life nor after his/ her death.

This is our diligence and opinion in regards to the matter of organ transplantation. We have reached this conclusion after more than a year and a half of investigation and scientific research. During this period, we have studied the resolutions and academic papers of numerous Islamic conferences, organized by trusted Islamic and scientific entities which were dedicated specifically to discussing the issue of organ transplantation with participation of renowned Islamic scholars and medical experts.

And Allah, the Almighty, is the Best Knowing.

Dr Ibrahim Abu Mohamed



Grand Mufti of Australia