

**OPEN LETTER FROM LIBERAL ARABS & MUSLIMS**

**Request**

**TO THE UNITED NATIONS SECURITY COUNCIL  
& THE U.N. SECRETARY GENERAL**

**For**

**THE ESTABLISHMENT OF AN INTERNATIONAL TRIBUNAL  
For The Prosecution Of Terrorists**

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The following letter prepared by three leading Arab and Muslim intellectuals calls on the United Nations Security Council to proceed to the establishment of an International Tribunal to prosecute individuals, groups, or entities including, but not limited to, Muslim clerics, who issue religious edicts (“*fatwas*”) inciting terrorist acts. The three individuals, who represent the viewpoint of thousands of like-minded concerned individuals throughout the Islamic world, are:

1. Dr. Jawad Hashim, an international economic consultant, author, founding member of Investcorp and a former member of the Group of Thirty (G30) on International and Monetary Affairs and of the United Nations Institute for Training and Research Panel of Eminent Persons. Hashim is also a former Iraqi Minister of Planning who was forced to flee from the Saddam Hussein regime to Canada in 1983;
2. Dr. Shakir Al-Nabulsi, a Jordanian political columnist who has authored over forty books on Arab society and culture, the Middle East and Japan; and
3. Mr. Lafif Lakhdar, a Tunisian author, writer and political commentator who appears regularly on broadcasts and in the print media of the United Kingdom and the Arab world.

**To: *Their Excellencies, the President and Members  
of the United Nations Security Council;***

**and**

**To: *His Excellency, the Secretary General  
of the United Nations.***

On October 8, 2004, the United Nations Security Council unanimously adopted Resolution 1566 condemning all terrorist acts “as one of the most serious threats to peace and international stability.” In reaffirming Resolutions 1267 of October 15, 1999; and 1373 of September 28, 2001; as well as other resolutions concerning threats to international peace and security caused by terrorism; and in recalling Resolution 1540 of April 28, 2004, the Security Council decided in Resolution 1566:

*“... to establish a working group consisted of all members of the Security Council to consider and submit recommendations to the Council on practical measures to be imposed upon individuals, groups or entities involved in or associated with terrorist activities ... including more effective procedures considered to be appropriate for bringing them to justice through prosecution or extradition, freezing of their financial assets, preventing their movement through the territories of Member States, preventing supply to them of all types of arms and related material, and on the procedures for implementing these measures.”*

As this Working Group is considering recommendations for practical measures to be taken with respect to individuals, groups, or entities involved in or associated with terrorist activities pursuant to Resolution 1566, we, the signatories of this letter, a group of Arab and Muslim liberals, writers and intellectuals, would like to draw your attention to an extremely dangerous source of terrorism. This source is the purported religious pronouncements or *fatwas* issued by some psychotic members of dogmatic Muslim groups encouraging the commission of terrorist acts in the name of and under the banner of Islam.

We believe, and we are certain you will agree, that it is not enough for the Security Council to adopt resolutions “condemning terrorism.” What will be even more effective is the establishment of an **International Tribunal**, affiliated to the UN organization. This Tribunal will further the implementation of Resolution 1566 by prosecuting those individuals, groups, or entities involved, directly or indirectly, with terrorist activities. These activities include, but are not limited to, religious edicts (*fatwas*), issued by religious clerics in the name of Islam calling upon Muslims to commit terrorist acts.

In following these *fatwas*, many terrorists have died, and will continue to die, fully convinced that they will immediately enter Paradise. Of course, we are not excluding other causes for committing terrorist acts, such as the ticking-bomb of population explosion with its resultant illiteracy, poverty, unemployment, backwardness in education systems, reactionary religious teaching, and, above all, the experience of living under dictatorial systems of governments in almost all Arab countries.

But despite the above causes, certain religious *fatwas* remain the pivotal cause of terrorist acts. These *fatwas* clothe such terrorist acts in the apparent legitimacy of being one of the sacred tenets of Muslim faith.

We are prepared to provide you with an exhaustive lists of *fatwas* issued in the recent past that incite terrorist acts, but the following few examples may suffice for the purposes of this letter and request:

- When the presiding judge of the Egyptian Court of State Security asked Sheikh Mohamed Al-Ghazali (a leader of the influential Egyptian Muslim Brotherhood movement) to comment on the 1992 murder of Faraj Foda (an Egyptian secular intellectual), Sheikh Al-Ghazali offered this view:

*“The killing of Faraj Foda was in fact the implementation of the punishment against an apostate, which the State has failed to implement.”*

When the accused murderer heard Al-Ghazali’s opinion he shouted:

*“Now I will die with a clear conscience [for murdering Foda].”*

- On February 13, 2002, the London-based Al-Hayat newspaper published a *fatwa* issued by Sheikh Ali Bin Khodair Al-Khodhairi of Saudi Arabia, approving and condoning Al-Qaida’s 9/11 terrorist act in New York, Washington and Pennsylvania. In his *fatwa*, the Sheikh said:

*“It is astonishing to mourn the [American] victims as innocents. Those victims may be classified as infidel Americans who do not deserve to be mourned. This is because each American, in his relation to the American Government, is a warrior or supporter [of that*

Government] *by means of the [tax] money*  
[he/she gives to that government] *or [his/her]*  
*opinion. It is legitimate to kill all of them as*  
*combatants; or [even] non-combatants, such*  
*as the old, the blind, or non-Muslims... .”*

- On February 13, 2002, the same Al-Hayat newspaper, based in London, published another *fatwa* issued by a Saudi Arabian sheikh. Sheikh Safar Bin Abdulrahman Al-Hawali described the 9/11 attacks as a justified retaliation for President Clinton’s missile attack on Al-Qaida’s training camps in Sudan after the terrorist attacks on the U.S. Embassies in Kenya and Tanzania. This Saudi religious leader went on to condone the 9/11 attacks on the World Trade Center and the Pentagon. He described the latter as “a devil's nest, spying cell and Mafia retreat,” while referring to the World Trade Center in Manhattan as “the center of usury and money laundering.”
- Another *fatwa*, put forth by Sheikh Yusuf Al-Qaradawi of Egypt, authorizes the killing of unborn Jews or Jewish “fetuses,” because, according to his view, after Jews are born and grown up, they will join the Israeli army. Furthermore, on September 3, 2004, at an address to the Egyptian Journalist Union, Al-Qaradawi issued a *fatwa* ordering the killing of all American civilians working in Iraq together with Iraqi civilians who assist them. This followed yet another *fatwa* which he published in the leading Egyptian newspaper, Al-Ahram Al-Arabi, on July 3, 2004, permitting the killing of Muslim intellectuals as apostates, claiming that Islam justified such murders.

- The *fatwa* decreed by the Tunisian Muslim fundamentalist Rashid Al-Ghannoushi in his 1993 book “Freedom in the Islamic State” permitting the killing of all civilians in Israel, because (according to his *fatwa*):

*“There are no civilians in Israel. The population --males, females, and children-- is the army of reserve soldiers, and therefore may be killed.”*

As it is difficult, if not impossible, to prosecute these extremists in their native Arab or Islamic countries, they continue to issue and publish their *fatwas* inciting acts of terror under the false umbrella of Islam. These *fatwas* issued by extremist Muslims clerics encourage the commission of terrorist acts to provoke a state of terror.

Due to the importance of combating terrorism and the urgency of this task, we, the signatories to this letter, respectfully request Your Excellencies and the Working Group (constituted pursuant to Article 9 of Resolution 1566) that an **International Tribunal** be established to prosecute all terrorists, whether individuals, groups, or entities, including individuals who incite terrorism through the issuance of fatwas in the name of religion.

Sincerely yours,

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**Jawad Hashim**

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**Shakir Al-Nabulsi**

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**Lafif Lakhder**