



Fatwa no. 21192

All praise be to Allah Alone, and peace and blessings be upon the Last of the Prophets.

The Permanent Committee for Scholarly Research and Ifta' received the letter that was sent to His Honor the Mufti from the questioner, Dr. Faysal `Abdul-Rahim Shahin, the Director General of the Saudi Center for Organ Transplantation. The letter was transferred to the Committee by the Secretariat-General of the Council of Senior Scholars under no. 4596 dated 07/09/1420 A.H. Following is the text of the question:

I hope that Your Honor will answer this question that is raised in the Saudi Center for Organ Transplantation: A mother would like to donate her womb, but not the ovaries which carry the hereditary characteristics, to her daughter. The womb will only act as a place for the baby to develop in while the ovum will be taken from the ovary of the woman to whom the womb is donated. The sperm will be taken from the husband of the daughter. Is this womb transplantation permissible?

I would like here to refer to the Fatwa issued by the Islamic Fiqh Academy Council decree no. 6/8/59 that was held in the Sixth Conference Session in

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Jeddah in the Kingdom of Saudi Arabia during the year 1410 A.H. (attached is a photocopy of the concerned decree). The Islamic Fiqh Academy Council held that the transplantation of testicles or ovaries is Haram (prohibited) as doctors warn that this will lead to lineage confusion. However, it regarded the transplantation of other inner organs of the reproductive system as being Mubah (permissible). Nevertheless, a ruling on womb transplantation was not decided by the concerned Council. It considered the transplanted womb a part of the woman to whom it was transferred, but it did not tell whether the baby will be a Mahram (non-marriageable relative) to the woman who donated her womb. Jurists of the Islamic Fiqh Academy and some other jurists have discussed this problem in detail during their discussion of the problem of surrogate mothers. Please accept my best regards. May Allah keep and protect you.

After the Committee studied the question, it decided that it is impermissible for the concerned mother to donate her womb to her daughter as this leads to Haram (prohibited) matters.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

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