In the Name of Allah the Most Merciful, the Most Beneficent

Charter

The Council of Shia Muslim Scholars of North America

10 Shawwal 1439 A.H.
25 June 2018 C.E.

This charter has been reviewed, edited and adopted by the attendees of the 17th conference of the Council of Shia Muslim Scholars of North America. Consequently, for the purposes of verifying and legitimizing this charter prior to its adoption, an initial committee from among the attendees were chosen to ratify the document based on the following two qualifications:

1) Seniority, preeminence and highly qualified in serving Islam and the communities in North America.

2) Upheld, adopted, and implemented the Council’s mission since its establishment and continued to preserve it until the present.

NOTE: This revised and final draft might need further rephrasing or editing within a 30 days period from the adoption date, with the condition that the main content and meaning remains unchanged. This shall be implemented by a temporary committee which include:

1) Sayyid Sulayman Ali Hassan
2) Shaykh Mehdi Hazari
3) Sayyid Kashmiri

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1) Sayyid Sulayman Ali Hassan
2) Shaykh Mehdi Hazari
3) Sayyid Kashmiri
Almighty Allah said:

((Only God's knowledgeable servants fear Him.))

((Not all believers have to become specialists in religious learning. Why do not some people from each group of believers seek to become specialists in religious learning and, after completing their studies, guide their group so that they will have fear of God.))

Narrated from Imam Hussain (p):

“The disposition of matters is in the hands of those who are knowledgeable of Allah (i.e. the commandments of His religion), those entrusted with safeguarding [and preserving] what He has decreed as lawful and unlawful”


Narrated from Imam Ali al-Naqi al-Hadi (p):

During the occultation of the Fulfiller peace be upon him, were it not for the remaining scholars who call the people to his rights, and who point them to him, and who defend his religion with divine arguments and who save the weak amongst the servants of Allah from the nets of Iblis and his disobedient followers, and from the traps of those who hold animosity towards Ahl al-Bayt (p), there would not have remained one person who did not apostatize from the religion of Allah, but these scholars are the ones who hold the reins of the heart of the weak amongst the followers of Ahl al-Bayt (p), just like the captain of a ship holds its passengers, those are the ones whom Allah, the Mighty, the Venerable, considers the best.

Preamble
The Council is an independent body in its legislation, activities, and membership. It maintains complete autonomy in its function notwithstanding its sponsorship, support, and administration by the Imam Mahdi Association of Marjaeya (IMAM). Further details are provided in the articles below.
This status will remain in effect until such a time that the Council members arrange a functional administration, which dissolves this relationship.

Part I – Definitions and Essentials

Name
“The Council of Shia Muslim Scholars of North America”. It will be called “The Council” in this document.
The Council is the entity name for a Shia Muslim Twelver religious group that comprises scholars, preachers, speakers and imams of mosques and religious centers in the United States and Canada. It is a group that abides by the directions and teachings of the Supreme religious authority and the chief jurists of the seminaries who meet the conditions of rendering verdicts and emulation. The Council is an independent intellectual and religious group, and has no political goals of any kind.

The Purpose
To serve and represent the Shia Muslims of North America in everything that concerns the affairs of their religion and the preservation of their legitimate interests.

The Vision
To cultivate an atmosphere of cooperation and collaboration for a better future, reflected by better citizenship and an improved position for Muslims in North America.
The Mission
To promote the standing of Shia Muslims in North America and improve their effectiveness [in all manners] in accordance with the teachings and guidance of the Supreme religious authority, which is based on the Holy Quran and the directions and teachings of the holy Prophet Muhammad son of Abdullah (p), and the infallible Imams of his holy Household (p).

The Core Values
The work and activities of this Council are motivated by the following inimitable and firm fundamentals:
Knowledge | Faith | Integration | Diversity | Collaboration | Progress

Goals and Objectives
1) To carry out the mission of religious preaching, support all that can spread awareness about Islam from the viewpoint Ahl al-Bayt (p), and fortify religious identity, and intellectual and cultural development of society through various methods.

2) To promote, educate and establish the principle of the “religious authority” according Ahl al-Bayt (p).

3) To represent the Shia community and speak on its behalf, and defend it and Shiism in all that relates to its religious matters and the interests of the community of believers in North America. Furthermore, to defend it against attempts by unqualified (i.e. illegitimate) scholars to hijack Shiism and the Shia.

4) To improve and foster communication between the Shia and others by bolstering attendance and participation in local, regional, and international forums of relevance.
To fulfill the paternal role of guiding the believers with a unified voice during different events and urgent matters.

To intervene, mediate, and resolve conflicts and disputes that sometimes occur between the believers, which threaten their unity and wealth.

To protect and support the members of the Council whenever they suffer from any injustice or unfair treatment or violation of their preaching and humanitarian roles.

**Properties, Funding, and Spending**

1) The council is registered under the official papers of Imam Mahdi Association of Marjaeya, (I.M.A.M.), as Doing Business As (DBA). The Council uses its official institutional permit and tax code for all its activities and actions, including financial matters.

2) The Council relies in its funding primarily on the help and support of Imam Mahdi Association of Marjaeya, (I.M.A.M.), and secondarily upon unconditional grants and donations from the members or others.

3) All the assets, rightful and legal properties of the Council, and all funds movable and immovable are considered lawful funds, which are used in accordance with Islamic rulings.

4) The Council does not accept any donations, grants, or gifts from governmental agencies or political organizations or the like.

5) The council does not prohibit implementation of donation campaigns to support its projects, activities, and expenses; in the same way, it does not prohibit charity investment campaigns whose revenues are used by the Council and its projects.

المبادرة بأخذ دور الأبوة لإرشاد عامة المؤمنين بلسان موحد عند مختلف الحوادث الواقعية والأمور الطارئة.

التدخل لحل النزاعات والخصومات التي تحصل أحياناً بين أوساط المؤمنين بما يشتم وحدتهم وأمواتهم.

حماية ومساندة أعضاء المجلس عند حصول مظلمة أو إجحاف أو انهاك لأدوارهم التبليغية والإنسانية.

الممتلكات والتمويل والصرف

1) إن أوراق المجلس الرسمية مثبتة من خلال مؤسسة إمام (مؤسسة الإمام المهدي للمرجعية) إذ يستخدم رخصة المؤسسة الرسمية ورقم الإقطاع الضريبي لسائر أنشطته وأعماله ومنه الأمور المالية.

2) يعتمد المجلس في تمويله بالدرجة الأولى على دعم ومساندة مؤسسة إمام (مؤسسة الإمام المهدي للمرجعية)، ثم على الهبات والبرعات غير المشروطة من الأعضاء ومن غيرهم.

3) جميع الممتلكات الحقيقية والحقوقية والإغراضية للمجلس، وجميع الأموال المنقولة وغير المنقولة للمجلس، تعتبر من الأموال الشرعية التي يصرف بها حسبما مقرر شرعاً.

4) لا يقبل المجلس أي تبرعات أو منح أو هبات من جهات حكومية أو منظمات سياسية وما شابه.

5) لا يمنع المجلس عقود حملات تبرعات لدعم مشاريعه ونشاطاته ومصاريفه، كما لا يمنع من المشاريع الإستثمارية الخيرية التي يعود ريعها على المجلس ومشاريعه.
Changes, Dissolution, and Closure
It is not permitted to change, alter, add or remove any part of these By-Laws – after its approval – nor to dissolve the council or terminate it, except with the approval of two-thirds of the members of the Consultative Body.

Resignation
Any member has the right, and for any reason, to withdraw his membership from the council by submitting a written letter of resignation to the Secretary General.

Invasion of Privacy/Unapproved disclosure/Defamation
Every member who resigns or is expelled agrees to act with proper etiquette and not defame in any way the Council or any of its members. Anything to the contrary will be considered a violation of these conditions and contrary to the duty to guard the rights of others and might become subject to legal prosecution.

Part II – Structure of the Council of Scholars

The Council of Shia Muslim Scholars of North America has a General Body, a Consultative Body, a Secretary General, a Deputy Secretary-General, and an Executive Director.

The General Body:
Each member of the Council is a Twelver (i.e. ithna-ashari) Shia Muslim individual who is serving the interests of Islam and Muslims in North America and is qualified for membership in the Council if the following conditions are met:
1) Must be considered a religious preacher as in the case of a scholar, orator, preacher, the imam of a mosque, or similar with two years of experience.

2) Membership requires recommendation in writing by two members of the Consultative Body, which will have the final decision on admission and standing. Further, it should not antagonize the majority of the Consultative Body.

3) Must be a lawful permanent resident of North America.

4) Must be known for being a just person, of good reputation, and has no felony or misdemeanor convictions for crime that is punishable by law, and not further adjudicated. Must be recognized and known to believe in and not deny the essential principles (dharooriyat) of the Shia Ithna-Ashari faith.

5) Must sign the membership form, and accept and abide by the bylaws/rules of the organization.

Note: Some exceptions might be considered in the case of individuals who possess the right specifications and qualifications to achieve the goals of the council, but this can only be determined and agreed to by the members of the Consultative Body.

Regulations:

1) Any member who fails to carry out specific activities of a sub-committee and is repeatedly negligent about attendance therein, he will be removed from that sub-committee. The letter of dismissal shall be issued by the Secretary-General and shall be communicated to him by the Executive Director.

2) In addition, if any member of the Council has more than three unexcused absences from the annual conference and demonstrates a clear negligence for participation then his membership from the Council will be revoked.

1) أن يكون ممن ينطبق عليه "مبلِّغ ديني" كان يكون عالم دين أو خطيب أو داعية أو إمام جامع وما شابه، مع أداء خدمة لا تقل عن سنتين.

2) تتطلب العضوية موافقة خبرية من قبل إثنين من أعضاء هيئة شوري المجلس من غير معارضة أغلبية شوري مجلس.

3) أن يكون مقيماً دائماً في أمريكا الشمالية إقامة قانونية.

4) أن يكون معتمداً بضرورة المذهب ومعروفاً بالعدالة وحسن الظهر وغير مرتكب جريمة أو جنحة ثابتة عليه بصرف النظر عنها القانون ولم تنفذ بعد.

5) أن يوقع كسمية العضوية ويعهد بالالتزام بهذا الميثاق.

ملاحظة: قد تستثنى بعض هذه الشروط جزئياً عند توفر شخصية ذات لياقات ومؤهلات تحقق أهداف المجلس. لكن لا يمضي ذلك إلا بشخصيات وموافقة خاصة من قبل هيئة شورى المجلس.

الضوابط:

1) كل عضو يتخلف عن أنشطة المجلس كاجتماعات ومؤتمرات أو المهات الموثوقة به ثلاث مرات على الأقل من دون غرر موقف يعتبر مستقبلاً. ويكون كتاب الإقالة صادراً من الأمين العام، ويتتم إبلاغه من قبل المدير التنفيذي.

2) لو فقد أي عضو لواحد من شروط العضوية في المجلس أو في الهيئات واللجان فيعتبر حينها فادقاً لشروط العضوية وتلغي عضويته تلقائياً، ويكون كتاب الإقالة صادراً من الأمين العام، ويتتم إبلاغه من قبل المدير التنفيذي.
3) If a member loses any of the membership conditions in the Council or in the committees, shall be deemed to be in breach of the membership conditions and his membership shall be automatically canceled. The letter of dismissal shall be issued by the Secretary General and shall be communicated to him by the Executive Director.

4) Every member must be very cautious and on guard against any activities classified as “terrorist”, as well as supporting or aiding it. Each member must ensure this. Failing to do so will cause the member to be expelled, and the letter of dismissal shall be issued by the Secretary General and shall be communicated to him by the Executive Director.

The duties of a member:
The duties of a member of the Council are summarized as follows:

1) To disseminate the Council’s message, and carry out its objectives and work towards achieving them.

2) To interact, engage and support other members of the Council in cooperating and collaborating to achieve the objectives of the Council.

3) To attend, support, and participate in all the activities and events of the Council.

4) To take into careful consideration the sanctity of the name and title of the Council, since the member is considered its representative and embodiment among the community of believers in North America.

Benefits of Membership:
Upon acceptance as a member of the Council, several benefits will be granted including:

1) The benefit of working collectively and the value of cooperation between scholars and preachers, not to mention the prestige of the Council. This will foster and elevate the member’s status among the believers in North America.
2) The benefit of the support of the Council and its help in supporting the preachers and defending them and preserving their status and respect, particularly in the event of unexpected occurrences like the violation of a right or being the subject of insulting behavior, or suffering injustice, or falling into hardship, and other situations.

3) Benefitting from the expertise and experiences of the other members in a way that supports the preaching role and the social status of the preachers.

4) Opportunity to improve preaching skills by increasing knowledge, expertise, and experience, this can be done by serving different locales that might be in greater need for him, and in higher roles that bring him and society greater benefit.

5) Being issued an official membership card by the Council.

The Consultative Body

Importance and Role
The Consultative Body of the Council is the highest and most important body, and it constitutes the main backbone of the council of scholars. Furthermore, it possesses an unrestricted right to make decisions and take actions that accomplish the higher purposes of the Council. This applies to decisions relating to internal council affairs as well as for external affairs related to the Shia Muslim community in North America. This is based on the guidance, directions, and verdicts of the scholars of the seminaries and especially the supreme religious authority.

Powers
1) Consideration of projects and their adoption, as well as programs proposed based on need and importance. In addition, the appointment of executive committees and officials to implement them.
2) To play a paternal role toward the community of believers in North America including guidance and direction of the masses of believers in a unified voice, especially considering its paternal role for the North American community of believers. Moreover, to guide the general public of believers, especially in the case of unexpected occurrences or events and matters that call for special handling to protect the community of believers from any division or deviation.

3) To strengthen the relationship with the religious seminaries and offices of religious authorities through constant communication and mutual visits by a committee whose members are chosen for their diversity, expertise, and required etiquette for these kinds of interactions.

4) To appropriately represent the community of believers in North America in its varied aspects that requires engagement and participation such that the community and its believing members benefits. This includes attendance and participation in scientific, intellectual and social conferences, whether local, regional, or international.

5) To protect and support the scholars, preachers and religious personnel against any insult or wrong that is committed against the dignity of a religious scholar, his position, his religious attire or his position/status.

6) To help resolve conflicts and disputes, whether it be familial and therefore requiring the attention of the jurist, or social conflicts of a more general nature that can divide and disperse the community of believers and destroy its potential, wealth, possessions, and religious properties such as centers, Islamic institutions and other entities.
7) To provide the jurists and scholars of the seminaries with the latest research and jurisprudential studies, documented and compared to the opinions of experts on that subject, such as matters relating to medicine, nutrition, law, personal status law, finance, health insurance, etc.

(Makes contribution in providing the jurists and scholars of the seminaries with the latest research and jurisprudential studies documented and compared to the experts' opinions on that subject, such as matters relating to medicine, nutrition, law, personal status law, finance, health insurance, etc.)

8) To play a consultative role for I.M.A.M. (Imam Mahdi Association of Marjaeya) and the official jurist representative who is assigned to direct it in a way that preserves its interests and the reputation of the community and the religious authority. This will be done by offering advice and direction in every way that may serve in improving and serving the community of believers, and to cooperate for the sake of the success of its mission and guaranteeing its future.

(Play a consultative role for I.M.A.M. (Imam Mahdi Association of Marjaeya) and the official jurist representative who is assigned to direct it in a way that preserves its interests and the reputation of the community and the religious authority. This will be done by offering advice and direction in every way that may serve in improving and serving the community of believers, and to cooperate for the sake of the success of its mission and guaranteeing its future.)

9) Considering that I.M.A.M. is obligated to follow the supreme religious authority of the current time, the procedure in the interim (after the passing of the current authority) will be determined by a two-thirds majority of the Consultative Body. Thereafter the supreme religious authority will be announced by the Consultative Body until the experts at the seminaries determine this, even if it takes some time.

(Considering that I.M.A.M. is obligated to follow the supreme religious authority of the current time, the procedure in the interim (after the passing of the current authority) will be determined by a two-thirds majority of the Consultative Body. Thereafter the supreme religious authority will be announced by the Consultative Body until the experts at the seminaries determine this, even if it takes some time.)

10) To assess the work and activities of the Council and the rest of the committees and the performance of its members by forming a special committee that provides solutions and practical recommendations to advance the Council and improve its functioning.

(To assess the work and activities of the Council and the rest of the committees and the performance of its members by forming a special committee that provides solutions and practical recommendations to advance the Council and improve its functioning.)

Its Decisions:

1) Decisions are to be made by voting after consultation. A simple majority is needed for general and routine decisions, while sensitive, crucial matters require two-thirds of the votes.

(Decisions are to be made by voting after consultation. A simple majority is needed for general and routine decisions, while sensitive, crucial matters require two-thirds of the votes.)
2) It is not necessary for consultation, voting, and decision-making to be in person, but rather it can be done electronically or from a distance (e.g. conference call). But if it is done through a written medium, a specific deadline must be set to finalize the results.

3) There is no need for a quorum. The quorum will be constituted by the number of active and responsive members.

4) All decisions should not conflict with the by-laws or their spirit.

5) The sessions will be chaired by one of the members by rotation or according to the agreement of the members.

6) All the decisions of the Consultative Body of the Council are to be recorded in writing, signed and delivered by the secretary general or his deputy (i.e. Deputy Secretary-General).

7) Every three years, one of its members will be voted secretary general, and another his deputy. The body has the right to impeach him if he oversteps the limits of his office.

8) The deputy secretary-general will fully take the place of the secretary-general upon the latter’s absence.

Conditions of Membership:
A member of the Consultative Body must, in addition to the aforementioned conditions for membership of the general body, hold the following complementary qualifications:

1) Acquired extensive seminary learning (equivalent to or near the third level: Sutooh Al-’ulya).

2) To have practiced preaching for a period of no less than seven years, along with legal residency in North America for no less than ten years.

3) To be proficient in the English language at least to a basic degree of reading, understanding, and speaking.

4) To be no less than forty years of age.

5) To be nominated by at least two members of the Consultative Body of the Council (except the Founding Council which will be agreed upon).
The Secretary-General and the Deputy Secretary-General

1) Must be a member of the Consultative Body of the Council.
2) Must be proficient in English to an extent suitable for the position and status.
3) Must be the most suitable based on all criteria: scholarly achievement, behavior, general culture, breadth of knowledge and farsightedness.
4) Must be voted in directly by the Consultative Body of the Council and serve for a period of three years, with the possibility of renewal.
5) Responsible for signing and communicating decisions, statements, letters, and books of the council of scholars.
6) In the absence of the General Secretary, his responsibilities are assumed by his deputy.
7) Neither the Secretary-General nor his deputy have the right to make important and sensitive decisions on their own, in such cases, such decisions will be considered void.

The Executive Director

The Consultative Body will choose a qualified member of the council to discharge the duties of management and implementation. The executive director is the person who is charged with all the executive tasks related to the Consultative Body’s decisions and requirements. Therefore, the executive director must have the right qualifications and is to be assigned the following responsibilities:

Conditions and qualifications:

1) He must possess administrative skills that enable him to complete his responsibilities, these include time-management, prioritization, patience, perseverance, and so on.
2) He must also possess the following professional skills: proficiency in English (writing and speaking) along with other languages, preferably Arabic; computer proficiency as well as familiarity with multimedia enabling him to perform his responsibilities and communications with the other members, and to perform the other responsibilities that are assigned to him.
3) An important skill is the ability to communicate effectively with the public, media, and other stakeholders.
4) He must be able to work under pressure and meet deadlines.
5) He should have good interpersonal skills and the ability to work as part of a team.
6) He should be able to manage multiple projects simultaneously.
7) He should have strong organizational and decision-making skills.
Responsibilities and Tasks

1) Sending reminders to the members about meetings, conferences, plans and activities, and so on.
2) To record and archive session and meeting summaries.
3) To make the appropriate and necessary communications to complete tasks.
4) Provide the necessary materials for posting to the website.
5) Perform any other role that has the potential to improve the performance of his responsibilities in an appropriate manner.

Addendum: Clarifying some terms used in this document:

1) The Scholars: plural of scholar, which refers to the person who has studied Islamic Jurisprudence as is commonly known in the seminaries, which qualifies him to perform his duties as a preacher.
2) The Preachers: plural of preacher, is a person who has studied the religious ruling and general religious matters, and who preaches them in different social spheres.
3) Twelver Shia Muslims: Those who believe in Allah the One, and His angels, prophets, messengers, books, and the Day of Judgment, and follow the Final Messenger Muhammad (pbuh&hp), the twelve infallible Imams of the holy household (pbut) after him. The first among whom is the commander of the faithful Ali Ibn Abi Talib (p), and the last amongst whom is the Awaited Guided One (p). During the era of occultation of the twelfth Imam (i.e. our era) they follow those who are in the position of his general deputies, namely the jurists who meet all the conditions of rendering verdicts and are worthy of emulation.

ملحق: تعريف بعض المصطلحات الواردة في هذه الوثيقة:

1) العلماء: جمع علماء، وهو الذي تفقه بالمعرفة الدينية الإسلامية المعروفة عليها في الحوزات العلمية بما تؤهله للقيام بمهمته التبليغية حسبما هو مطلوب.
2) المبلغون: جمع مبلغ، وهو المطلع على الاحكام الشرعية والشؤون الدينية العامة والقانون على تبليغها في الواضحة الاجتماعية.
3) المسلمون الشيعة الإمامية الإثنا عشرية: هم الذين يؤمنون بالله وحده وملائكته وأبنائه ورسله وكتب وإيمان الآخر ويعتبرون بهم خاتم الأنبياء محمد (ص) الأئمة المعصومين الاثني عشر من أهل البيت (ع) وهم أمير المؤمنين علي بن أبي طالب وآخراهم المهدي المنتظر (ع). وفي غياب الإمام الثاني عشر - العصر الحالي - يتعون مقال تابعه المحترم بالفقهاء الجامعين لشريعة الفتاوى والتقليد.
4) The Sect: The doctrines and lawful rulings of the religion according to a particular school of thought. In this document this term refers to the followers of the path of Ahl al-Bayt (p).

5) Ahl al-Bayt: They are the impeccable members of the household of Prophet Muhammad may Allah’s salutations be upon them all, first among them is Ali Ibn Abi Talib and the last is the Awaited Guided One peace be upon them.

6) The religious authority: the supreme religious leadership that has the authority to issue verdicts in the Twelver Shia sect, and it is a position that constitutes being a deputy of the twelfth Imam the Awaited Guided One, may Allah hasten his return, namely the jurists who have met all the conditions for rendering verdicts and of being worthy of emulation.

7) The Supreme Religious Authority: He is the religious authority upon whose superior knowledge there is agreement in the seminaries, and who will have the majority of followers and emulators internationally.

المذهب: المدرسة العقدية والتشريعية في الدين. ويعني به هنا في هذه الوثيقة هو مذهب أهل البيت (ع).

أهل البيت: هم المعصومون من آل الرسول محمد صلى الله عليه وسلم جميعهم أجمعين، أوهم أمير المؤمنين علي بن أبي طالب وآخرهم المهدي المنتظر (ع).

المرجعية الدينية: أعلى مقام ديني له الولاية وصلاحية الفتوى لدى الطائفة الشيعية الاثني عشرية. وهو مقام يمثل النيابة عن الإمام الثاني عشر المهدي المنتظر (عج)، وهو يتمثل بالفقهاء الجامعيين لشروط الفتيا والتقليد.

المرجع الديني الأعلى: هو المرجع الديني الذي يتكلم على أعلمته في الحوزات العلمية ويكون له الأغلبية من الأتباع والمقلدين على النطاق العالمي.
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<td>Mohammed Jarfar</td>
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