

# 2017 - 2023 INTERNATIONAL ASSAM ISLAMIC UNION MODEL CONGRESSES

## Model ASRICA Confederation Model Islamic Union Bodies and Legislation

2017 - 2023



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**ASSAM** JUSTICE DEFENDERS  
STRATEGIC STUDIES CENTER

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# ASSAM ISLAMIC UNION MODEL CONGRESSES

2017

2018

2019

2020

Past to Future  
Government  
Forms

Islamic Economy  
and Common  
Economic Systems

Model ASRİKA  
Common Defense  
Industry  
Production

Model ASRICA  
Confederation  
Defense System

2021

2022

2023

Model ASRICA  
Confederation  
Foreign Policy  
Strategy

Model ASRICA  
Confederation  
Public Order and  
Internal Security  
Organization

Model ASRICA  
Confederation  
Justice System





## ABOUT

### ABOUT ASSAM

- ASSAM - Justice Defenders Strategic Studies Center
- ASSAM Founding Year: 2013
- Purpose of ASSAM is to do: Based on the idea that the prosperity of Muslim Nations, the survival of the states they established, the establishment of peace in the world and the dominance of justice are possible with the emergence of Islamic Countries on the world political stage as a superpower; Muslim States; Intellectual studies that will enable the creation of a database regarding national power elements, the assessment of individual and joint internal and external threats, the determination of internal and external security plan principles, and the establishment and development of the institutions needed to gather them under common will and the principles and legislations of organization of these institutions.
- ASSAM's Fields of Activity: As the Strategic Studies Center (SSC), it carries out activities in academic and scientific fields. It organizes "International ASSAM Islamic Union Model Congresses" annually. It has various social activities such as seminars and training.

### ABOUT INTERNATIONAL ASSAM ISLAMIC UNION MODEL CONGRESSES (2017 - 2023)



- The congress was held in Turkish, English and Arabic languages. Simultaneous translation was provided during the presentation of the papers. The proceedings were compiled into a book and published on the ASSAM Congress WEB Site.
- Congress Result Reports prepared for execution were sent to decision-making mechanisms and guests and participants from the Islamic world and were published on the ASSAM Congress WEB Site.





# CONGRESS SERIES INFORMATION

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INTERNATIONAL ASSAM ISLAMIC UNION MODEL CONGRESSES  
Model ASRICA Confederation

2017 - 2023

## ORGANISATION

**ASSAM | Justice Defenders Strategic Studies Center**  
**IUMS | International Association of Muslim Scholars**  
**UHUB | International Association of Jurists**  
**ASDER | Justice Defenders Association**  
**UNIW | Union of NGOs Islamic World**

## ORGANIZATION BOARD

ASSAM Board of Directors

## EDITOR & DESING

Doktorant Asım Öztürk | ASSAM Administrative and Congress Secretary

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### 3. PREFACE

At the beginning of the last century, empires disintegrated. The nations within the empires were organized into statelets controlled by the victors of the First World War. The dependent states were condemned to totalitarian regimes, even though they thought they were free. Dictators were protected and supported by guardian states.

Between the two world wars; the developed states of the west were ruled mostly by fascist dictatorships; the Soviets and their affiliates were ruled by communist dictatorships.

After the Second World War, while democratic systems were established in western states, following the example of the USA and England, Communism was adopted as the management system in Russia and its dependents.

The West formed the NATO bloc under the leadership of America against communism; The Soviet Union, led by Russia, also formed the Warsaw Pact against rampant capitalism.

The past hundred years have been marked by the exploitation of countries that have not achieved their full independence as a result of the clash of the two superpowers and the ideologies they represent, by promoting, developing and encouraging armed power.

After the Second World War, the League of Nations (*10 January 1920: 18 April 1946*) was revised and reorganized by the victors of the war, and the United Nations (UN) Organization was established on 24 October 1945. Although its purpose was shown as “to provide justice and security, economic development and social equality to all countries internationally”, it functioned as an organization established to protect the interests of the winners of the Second World War and the Permanent members of the UN Security Council (USA, UK, France, Russia, China) in the world and especially in the Islamic geography.

After the Second World War, Israel, which was settled in Palestine as the outpost of the 27th Crusade, was supported like the eyes, ears and fist of the Christian world in the geography that is the heart of the Islamic geography, which it entered like a dagger, and was protected by all organizations under the control of the West, including the UN. However, through intense psychological operations, it was shown that the world's management was under the control of Zionism, and the Islamic world was intimidated to make it forget that this small state was a tool of the West.

At the end of the century, the Soviet Union, which was trying to keep Afghanistan under its occupation, disintegrated and socialist ideology collapsed.

At the beginning of this century, the USA and NATO, left unrivaled, acted as world gendarmerie and invaded Afghanistan and Iraq with the mission of "Clash of Civilizations" under the pretext of bringing freedom. Since actual occupations are costly, they declared a new scenario to the world under the name of "Greater Middle East Project" and led the Islamic world to social, political and economic turmoil and instability, starting from Tunisia, Egypt, Libya, Yemen and Syria. Recovering Russia and China, which strengthened its economy, took a more active role in the sovereignty areas left to them over the Islamic world, and in alliance with the



West behind the scenes, they took the path of providing themselves with political and economic benefits from the blood and tears shed by Islamic countries.

The Muslim States, which are members of the United Nations, numbering fifty-seven; could not form an alliance and reach the power they deserved despite the geography over which the world's land, sea and air transportation passes and dominates the center of three continents, with important geostrategic value due to its rich underground and surface resources and the sublime spiritual values it represents, since they could not get rid of the control of the West and could not bring their national governments to power. When they could not have a common will, their resources and opportunities were plundered, their will was taken away from them and just like a prisoner admiring his executioner, they waited for the international community to take action in order to escape from all the calamities and cruelties brought upon them.

With the establishment of the Republic, Türkiye accepted that reaching the level of developed states was not possible without changing the society through socio-cultural revolutions, and since it saw the Islamic religion, Islamic values and the civilization it represented as a threat, it turned its face towards the west, considering western civilization as the ultimate goal to be achieved and turned its back on Islamic states and Muslim Nations and became alienated from the Islamic world. For a century, the country's administration, which has been guided by the West, has been suspicious of Islamic states, Islamic states have been presented to the nation as such, and they have always viewed these states as a threat. This view has caused the formation of two diametrically opposed wills in the state (bureaucratic and political wills) and their constant conflict, causing the state to waste its power on the nation. The Armed Forces, which keep the political will in their tutelage and control the bureaucratic authority, have made the Kurdish people question their loyalty to the state due to their secular nationalist attitude and want to destroy the religious values that are the glue of unity while offending the state due to the reaction syndrome.

It has been the true acceptance of the Turkish intellectual who was trained with the Islamic culture that it depends on the leadership of Türkiye for the unity of Islamic countries and on the national will to dominate all institutions of the state in order for Türkiye to lead Islamic countries.

Thanks to the political stability achieved in the last decade, our country has largely solved its internal problems as a result of the fight against the wrong official ideology, taking the values of the nation behind it, it made its power arising from unity felt at least regionally and regained the reputation it should have by correcting its perspective on the Islamic world.

There are difficult days ahead for Islamic countries that are on the way to overthrow authoritarian governments and choose democracy. Young democracies that will struggle with corruption, poverty and the need for justice should not be pushed back into the arms of the West in order to solve their huge problems. They need solidarity and the right guide. There is a need for economic cooperation and support, guidance in foreign policy, defense cooperation against exploiters, alternative justice systems against violations of rights by their own countries and third states, and a common will to ensure prosperity and security, and to govern themselves and the world in peace and justice.

**After all, the prosperity of Muslim nations and the establishment of peace and justice in the world depend on the emergence of Islamic countries on the world political stage as a superpower.**

Based on the idea that the prosperity of Muslim nations, the survival of the states they established, the establishment of peace in the world and the dominance of justice are possible with the emergence of Islamic countries on the world political stage as a superpower, Assam's purpose is establishing a database on national power elements for each Muslim state, making individual and joint internal and external threat assessments, determining internal and external security plan principles, and developing the necessary institutions to gather them under common will and carrying out intellectual studies that will reveal the legislative model that will ensure the formation and development of the organizational principles and principles of these institutions.

The International ASSAM Islamic Union Model Congresses, which were initiated in 2017 and completed in 2023, were carried out in order to present these intellectual studies, solution proposals, and a state style as a ready-made model for the Islamic world and the political will of Islamic countries.

*Adnan TANRIVERDI*  
*Chairman of the Board of*  
*Directors*

## 4. OBJECTIVE

The purpose of the International ASSAM Islamic Union Model ASRIKA Confederation Congress series is to make determinations on an academic and political basis regarding current problems in world politics, especially the geography of Islamic countries, and to present a solution to the Islamic world and decision makers about the institutions necessary for the gathering of Islamic countries under one will and the legislation required for these institutions.

As a result of the consultation with NGO representatives and academicians from 27 Islamic countries who participated in the First International ASSAM Islamic Union Model Congress, it was decided to ensure its continuity. The congress series was performed as a congress every year between 2017 and 2023.

Considering the main fields of activity of the states, the first one was held in 2017, the second one in 2018, the third one in 2019, the fourth one in 2020, the fifth one in 2021, the sixth one in 2022, the seventh one in 2023, and the main subjects of the "International ASSAM Islamic Union Model Congresses" held in 7 years were as follows;

- 1) Determination of Management Forms and Bodies Legislation for Islamic Union – 2017
- 2) Determination of Economic Cooperation Procedures and Principles for Islamic Union – 2018
- 3) Determination of Procedures and Principles of Defense Industry Cooperation for Islamic Union – 2019
- 4) Determination of Common Defense System Procedures and Principles for Islamic Union – 2020
- 5) Determination of Common Foreign Policy Procedures and Principles for Islamic Union – 2021
- 6) Determination of Common Public Security and Security Procedures and Principles for the Islamic Union – 2022
- 7) Determination of the Procedures and Principles of the Common Justice System for the Islamic Union – 2023


At the end of the 7th congress, it was aimed to put forward the institutions required for the gathering of Islamic countries under a will and the legislation of these institutions as a model.


**The first congress** was held on 23-24 November 2017 in Istanbul, where ASSAM headquarters is located, with the cooperation of Üsküdar University, Justice Defenders Association (ASDER) and the Union of Non-Governmental Organizations of the Islamic World (UNIW).

Representatives of non-governmental organizations and academicians from 27 Islamic countries participated in the First International ASSAM Islamic Union Model Congress, and 31 academicians from 11 countries presented papers and the papers were published on the ASSAM Congress website.<sup>1</sup>

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<sup>1</sup> <https://assamcongress.com/congresses/congress-2017/congress-sessions-17.html>

 As a result of the congress, it was concluded that the "**Parliament of Islamic Countries**" should be established and the "**Ministry of Islamic Union**" should be established in the council of ministers of each Islamic country, and the "**Declaration of the Confederation of Islamic Countries**" approved by the ASSAM Administrative Board was signed by 109 NGO officials, 29 of which were from Islamic countries and 80 were from Türkiye, and announced to the world public through the press.<sup>2</sup>

 In addition, a **draft model constitution** was prepared for the Confederation of Islamic Countries, taking into account the provisions emphasized in the declarations.<sup>3</sup>

The **second of our congress** was held on 1-2 November 2018 in Istanbul, where the ASSAM headquarters is located, in cooperation with Üsküdar University, Justice Defenders Association (ASDER), Islamic World NGO Union (UNIW) and International Union of Muslim Scholars (IUMS / International Union of Muslim Scholars).

The Second International ASSAM Islamic Union Model Congress was attended by representatives of non-governmental organizations and academicians from 29 Islamic countries, 58 papers were presented by 66 academicians from 15 countries, and the papers were published electronically on the ASSAM Congress WEBSITE.

**Considering the papers presented at the second congress and the Congress Final Report, the Second Congress Declaration was prepared to include the First Congress Declaration, presented to the decision-making mechanisms, all invited guests and participants from the Islamic world and the world public, and published on our ASSAM Congress WEBSITE.**<sup>4</sup>

Representatives of non-governmental organizations and academicians from 45 Islamic countries participated in the **Third International** ASSAM Islamic Union Model Congress and 58 papers were presented by 57 academicians from 10 countries. The Congress Final Declaration<sup>5</sup> and Abstracts have been published on the<sup>6</sup> ASSAM Congress website.

The **Fourth International** ASSAM Islamic Union Model Congress was held in Istanbul with the participation of Üsküdar University (ÜÜ), Kütahya Dumlupınar University (DPÜ), Justice Defenders Association (ASDER) and Islamic World NGO Union (İDSB) on December 12, 2020, under the main theme of "Determination of the Procedures and Principles of the Common Defense System for the Islamic Union".

28 academicians from 15 Islamic countries presented 27 papers at the Fourth International ASSAM Islamic Union Model Congress. The Congress Declaration and Abstracts and

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<sup>2</sup> <https://assamcongress.com/congresses/congress-2017/congress-declaration-17.html>

<sup>3</sup> <https://assamcongress.com/congresses/congress-2017/model-confederation-constitution.html>

<sup>4</sup> <https://assamcongress.com/congresses/congress-2018/sessions-2018.html>

<sup>5</sup> <https://assamcongress.com/congresses/congress-2019/congress-declaration-19.html>

<sup>6</sup> <https://assamcongress.com/congresses/congress-2019/abstracts-book-19.html>

Proceedings Full Textbook, including the first, second<sup>7</sup> and<sup>8</sup> third congress declarations, have been published on our<sup>9</sup> ASSAM Congress WEBSITE.

Our **Fifth International** ASSAM Islamic Union Model Congress was held in Istanbul on December 18-19, 2021, with the participation of Kütahya Dumlupınar University (DPU), Justice Defenders Association (ASDER) and Islamic World NGO Union (UNIW), with the main theme of "Determination of Common Foreign Policy Procedures and Principles for the Islamic Union".

37 academicians from 19 Islamic countries presented 39 papers at the Fifth International ASSAM Islamic Union Model Congress. The Congress Declaration and Abstracts and Full Textbook of the Paper, including the First, Second, Third<sup>10</sup> and<sup>11</sup> Fourth Congress Declarations, have been published on our<sup>12</sup> ASSAM Congress WEBSITE.

Our **Sixth International** ASSAM Islamic Union Model Congress was held in Kütahya on 12-13 November 2022 with the theme of "Determination of Common Public Security and Security Procedures and Principles" for the Islamic Union with the participation of the International Union of Muslim Scholars (IUMS), the NGO Union of the Islamic World (UNIW), Kütahya Dumlupınar University (DPU) and the Association of Justice Defenders (ASDER).

32 papers were presented by 34 academicians from 16 Islamic countries at the Sixth International ASSAM Islamic Union Model Congress. The Congress Declaration and Abstracts and Full Textbook of the Paper, including the First, Second, Third, Fourth<sup>13</sup> and<sup>14</sup> Fifth Congress Declarations, have been published on our<sup>15</sup> ASSAM Congress WEBSITE.

Our **Seventh International** ASSAM Islamic Union Model Congress was held in Istanbul on 23-24 December 2023 with the theme of "Determination of the Procedures and Principles of the Common Justice System" for the Islamic Union with the participation of the International Union of Muslim Scholars (IUMS), the Union of Non-Governmental Organizations of the Islamic World (UNIW), the International Union of Lawyers (UHUB), the Fatih Sultan Mehmet Foundation University Faculty of Islamic Sciences (FSMVU IIF) and the Association of Justice Defenders (ASDER).

44 papers were presented by 44 academicians from 27 Islamic countries in our Seventh International ASSAM Islamic Union Model Congress. This Congress Series Final Report has been prepared to cover the First, Second, Third, Fourth, Fifth and Sixth Congress Declarations.

It is planned that the Second Series of ASSAM Congresses, which will start from 2024 and continue in the following years, will be held to offer Solutions to the Crises in the Problematic Regions of Islamic Geography.

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<sup>7</sup> <https://assamcongress.com/congresses/congress-2020/congress-sessions-20.html>

<sup>8</sup> <https://assamcongress.com/congresses/congress-2020/abstracts-book-20.html>

<sup>9</sup> <https://assamcongress.com/congresses/congress-2020/proceedings-book-20.html>

<sup>10</sup> <https://assamcongress.com/congresses/congress-2021/congress-declaration-21.html>

<sup>11</sup> <https://assamcongress.com/congresses/congress-2021/abstracts-book-21.html>

<sup>12</sup> <https://assamcongress.com/congresses/congress-2021/proceedings-book-21.html>

<sup>13</sup> <https://assamcongress.com/congresses/congress-2022/congress-declaration-22.html>

<sup>14</sup> <https://assamcongress.com/congresses/congress-2022/abstracts-book-22.html>

<sup>15</sup> <https://assamcongress.com/congresses/congress-2022/proceedings-book-22.html>

The language of the congresses was Turkish, English and Arabic. Simultaneous (instant) translation was made in the presentation of the papers. Abstracts and papers have been converted into books and published on the ASSAM Congress WEBSITE. Papers can be published electronically in the ASSAM International Refereed Journal (Assam-UHAD), provided that they go through the referee process. Those who want to have their papers published in our ASSAM International Refereed Journal (UHAD) should prepare their papers in accordance with the paper preparation format of our refereed journal and upload them to the system via the link specified below. You can reach the refereed journal at <https://dergipark.org.tr/assam>. Papers/articles in the refereed journal will be published after going through the referee process.

The Congress Final Reports prepared for execution were also sent to the decision-making mechanisms and to all invited and participants from the Islamic world and were published on the ASSAM WEBSITE (<https://assam.org.tr>) and the ASSAM Congress WEBSITE (<https://assamcongress.com>).



## 5. SCOPE

It has become clear that ISLAMIC COUNTRIES, which accept the ASIA-AFRICA, that is, "ASRICA" geography, as the axis, must come together under a common will for the welfare of Muslim nations, the security and survival of the states they established, the establishment and maintenance of peace in the world, the dominance of justice, and the Islamic world to re-emerge on the stage of history as a superpower and for this, it is urgent to establish a permanent "Parliament of Islamic Countries" and to implement the Economic Cooperation System of Islamic Countries based on Islamic Economics, which will enable the Islamic world to reach the economic power it deserves as well as a Joint Defense Industrial Production, the establishment of a Common Defense System, and the central execution of Foreign Policy, Internal Security and Public Order and the Justice System.

ASSAM considers it possible to establish the Islamic Union by gathering under a will with a Confederal structure formed by the **Nine Regional Federations** and **these regional Islamic Federations according to their ethnic and geographical proximity, without changing the national borders and structure** of the Islamic countries in the axis of ASRICA.

## 6. FINDINGS

### 6.1. GEOPOLITICAL POSITION AND STRATEGIC VALUE OF THE ISLAMIC WORLD

57 of the 206 states in the world (29% of the number of members) are Muslim countries.

1,859,779,580 billion of the world's population of 7,916,525,000 billion (23.49% of the world's population) are the people of Muslim states, and 30.9 million km<sup>2</sup> of the world's land, which is 150 million km<sup>2</sup> (20.6% of the world's land), is the territory of 57 Islamic countries.



Map 1 Model ASRICA Islamic Countries Confederation Geography

Islamic geography, with the block they create when the boundaries between them are ignored:

- Located in the center of the Asian, European and African continents known as the world island;
- Controlling the straits of Gibraltar, Bab al-Mendeb, Dardanelles and Istanbul and Suez Canal, which are considered the entrance gates of the Mediterranean, Red Sea and Black Sea, which are the largest inland sea in the world;
- Having coasts to the Atlantic Ocean, the Indian Ocean, the Mediterranean, the Black Sea and the Caspian Sea;
- Being a land and sea neighbor to the Asian, European and African continents, to the great powers of the world such as the European Union, Russia, India and China, and to the United States of America by sea;

- Having the opportunity to be the alternative center of the world's land, air and sea transportation roads;

- <sup>16</sup> The Islamic world, which has 55.5% of the world's oil reserves, 46.5% of its production, 64.1% of its natural gas reserves and 34% of its production, ranks first in the world with its surface area and population and it has the potential to be among the top three among the world's superpowers by combining its means, efforts and goals considering its geopolitical location, common civilization values, historical accumulation, defense budget, number of war weapons and equipment.

It is possible for the 57 Islamic countries to get rid of the turmoil they are in, reach the power they deserve and turn the lands and the world they own into a place of peace and tranquility if they come together under a single will.

## 6.2. GLOBAL ATTACKS ON THE ISLAMIC WORLD

In the geography where it should be dominant, the Islamic world has become the area of the undeclared, secret, insidious, dirty and asymmetrical Third World War, in which the elements with ethnic and sectarian differences within the unitary structures of each Islamic country are made to fight each other.

Despite its advantages, Islamic countries have fallen into great turmoil with the interventions of imperialist western states. As a result of this turmoil, great pain and destruction are experienced in the Islamic geography. Millions of Muslims are forced to choose between leaving their homes and homelands or dying. Thousands of Muslims die in various ways on the way of migration, and those who manage to migrate are condemned to live in poverty and misery.

According to the official data of the United Nations High Commissioner for Refugees, 6.6 million Syrian citizens have migrated around the world according to official records as of 2021.<sup>17</sup> This figure increases even more with unregistered refugees. Syrian refugees migrated to Türkiye (3,388,698), Iraq (262,218), Jordan (660,605), Egypt (145,157), Lebanon (805,326) and other countries in North Africa (41,742). Apart from these figures, there are intense migration attempts to Europe and a large part of them lose their lives in the Mediterranean. Despite these negativities, the total number of registered refugees who crossed to Europe from April 2011 to January 2021 was 1,022,142.<sup>18</sup>

The Third World War continues as an undeclared war (hybrid war) against Islamic countries. The Islamic World, which was left without authority after the collapse of the Ottoman Empire, tried to continue its existence by establishing small states, but since they lost their unity and solidarity, they became easy prey for global powers. The United States, the European Union, Britain, France, Russia and China aim to establish authority in Islamic countries by conducting

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<sup>16</sup> [http://www.pigm.gov.tr/dunya\\_ham\\_petrol\\_ve\\_dogalgaz\\_rezervleri.php](http://www.pigm.gov.tr/dunya_ham_petrol_ve_dogalgaz_rezervleri.php)

<sup>17</sup> <https://www.easo.europa.eu/sites/default/files/EASO-Asylum-Report-2020-Executive-Summary-TR.pdf>

<sup>18</sup> <https://data2.unhcr.org/en/situations/syria>

proxy wars with the terrorist organizations they control and the asymmetric war methods they apply in order to conquer the Islamic geography.

### 6.3. REASONS THAT MAKE THE 'ASRICA ISLAMIC UNION GEOPOLITICAL MODEL' NECESSARY

As you know; Geopolitical concepts and theories have always been produced. Until now, scientists interested in the definition of geopolitics have always used these four words. Civilization, state, politics and geography. We can say that especially the 1st and 2nd World Wars, which took place as a struggle for world domination, were influenced by geopolitical theories.

The First World War followed the path described by Zionism on the Ottoman - West axis, and the Second World War followed the London - Paris - Berlin - Moscow line, that is, the path of the 'Land Domination Theory', together with Zionism behind the scenes.

Geopolitical concepts and theses formed by the West were used especially by German geopolitical scientists for the purpose of occupying foreign lands in world wars. This idea has been accepted not only in Germany but in all of Europe.

According to the German scientist Friedrich Ratzel (1844-1904), one of the founders of geopolitics, "the state is an organism that must meet the food and other needs of its organs. It is possible with the invasion of weak countries. "

The father of Hitler's World War II policies is the famous geopolitician Haushofer, professor of political geography and military history. Geopolitical theses produced in the West aim at occupation and domination. The main goal of the 1st World War is the liquidation of the Ottoman Empire, which was the geopolitical center of the Muslims. We see that the racist geopolitical thesis, namely Zionism, is effective in this liquidation. With the liquidation of the Ottoman Empire, the Islamic world remained without a central country, that is, without an authority. The Islamic countries without authority have become the open target of imperialism. Subsequently, the construction of nation states and the problems of these states with each other and weak and controlled administrations benefited Zionism, and in 1948, the terrorist state of Israel, whose imaginary borders were Mev'ud, was established. It is a fact that if the Islamic world were one and whole, the terrorist state of Israel could not be established...

The occupation of a significant part of the Islamic world resulted in a struggle for independence on the part of Muslims in two areas. The first of these channels is nationalism and the second is Islamism/religious movements.

This struggle continues today. Because during this period, Islamic countries were turned into parts of the imperial new world order. In this process, while many politicians and intellectuals struggled for independence, they defended the ideal of Islamic unity on a global scale.

There have been some attempts at the ideal of Islamic unity on an international scale. For example, the General Islamic Congress held in Jerusalem on December 10, 1931. In this congress, some important decisions were taken to spread the Islamic faith and values, such as

ensuring cooperation between Muslims without discriminating between ethnicity and sect and developing the general Islamic brotherhood. The Organization of Islamic Cooperation, which was established afterwards, and the D8 project implemented by the late Professor Necmettin Erbakan in the 90s are among these.

As a result of Germany's objection to sharing at the end of the First World War, although the Second World War started in the European continent, it turned into a terrible destruction all over the world and a global showdown, including Japan in the Pacific region in the later years of the war. Muslims are not represented in the New World Order, or the bipolar world established after the Second World War. "The UN and similar structures are not based on the rule of law, but on the law of the superiors, that is, the victors of the Second World War."

"The world is bigger than 5"

The owner of the current system in the world, in the words of Luise Marchalko, is "the insidious monster that is trying to swallow the world, Jewish Nazism, and Political Zionism." Those who are exploited and massacred are mostly our people. Zionism aims at world domination. They see themselves as the superior race and all other humanity as slaves to themselves. "They aim to establish Greater Israel and believe they will achieve world domination with the coming of the Messiah."

This perverse geopolitical thesis is the greatest obstacle to peace and tranquility in the world.

It is seen that the order of exploitation in the world uses two factors to prevent Muslims from coming together. These are sectarian and ethnic differences.

In the new period that started with the dissolution of the Soviet Union, the world balances were upset. In the unipolar world order established, geopolitical theorists have made readings through civilizations.

In addition, at the NATO meeting held in Scotland in 1990, British Prime Minister Margaret Thatcher said; "The Soviet Union has collapsed, there is no enemy left. But an ideology without enemies cannot survive. We need to find a new enemy. The words "There is no need to look for an enemy, our new enemy is Islam" started a new era.

Samuel Huntington, of Jewish origin, a student of British historian Arnold Toynbee, fired the signal with his thesis "The Clash of Civilizations" in 1993. In this study, Huntington examined all belief systems, from tribal religions to monotheistic major religions, in terms of their century-long course between 1900 and 2000. Two points are remarkable in his analysis. The first of these is that all belief systems except Islam and atheism are declining...

This finding shows us that the only religion that is constantly rising is the religion of Islam. Huntington drew conclusions from this that guided the current policies of the United States in particular and the West in general.

Huntington said to the strategists who shaped Western policies, "Islam comes rumbling. "Are you going to surrender or are you going to surrender?" posed the question. Thereupon, the West determined a new strategy towards Islam and Muslims. This strategy was carried out jointly by British Prime Minister Tony Blair and US President George W. Bush.

Undoubtedly, England and the USA will always cooperate against the Islamic World, especially Türkiye, even if material interests are not at stake.

After 1990, the crusades were launched by George W. Bush and Iraq was invaded, followed by Afghanistan in 2001. However, since these occupations caused both material and military losses, they caused objections in the western public opinion. The 'Conflict Within Civilization' thesis put forward by the famous theorist Graham Fuller (Graham E. Fuller, permanent political advisor to the American RAND Corporation think tank, former deputy chairman of the National Intelligence Council of the US Central Intelligence Agency, author, American government official) was implemented through two fault lines in the Islamic world: nationalism and sectarianism. Terrorist organizations founded and financed by the West themselves have been used in proxy wars as new means of occupation...

As a result of the events that the West calls the Arab Spring in 2011, North Africa went into turmoil, and Libya and Gaddafi, who took the harshest stance against the West, paid a heavy price. Libya was occupied and Gaddafi was lynched. Syria, on the other hand, was dragged into civil war. The scenario in our country was eliminated by our noble nation and strong political will on July 15.

While the 'West' attacked the Islamic world altogether, Islamic countries remained isolated in defense, as in the case of Iraq, Libya, Syria, Afghanistan. With heavy defeats, there were invasions and disintegrations. Our resources are being exploited.

Therefore, the Islamic world is under the open threat of the 'Sick West' in terms of its geopolitical value, underground and aboveground resources. With the intra-civilizational conflict initiated by the West through the clash of civilizations, there is only one way to stop the invasions it has substituted and sustained. It is the establishment and maintenance of an 'intra-civilizational alliance' by the Islamic world.

What happened is not a coincidence. It is planned, a result that has been achieved step by step for centuries. What is happening today is undoubtedly the result of Jewish Nazism-Political Zionism's perverse philosophy, which has turned the world into a Jewish prison. It is the duty of all Muslims to fight against this order of oppression.

#### **6.4. REASONS THAT MAKE THE 'ASRIKA ISLAMIC UNION JUSTICE ORDER' NECESSARY**

It is an undeniable fact that Islamic Countries were under a global occupation after the West unitedly dissolved the Ottoman Empire. There is no dispute about the necessity for Muslims to form a Union. For this, the Islamic World should mobilize its opportunities. The establishment of justice is one of the main hopes of the Union. If this is achieved, neither Palestine nor any other Islamic land can be occupied, and Muslims will never be subjected to genocide.

The ASRICA Common Justice System is a candidate to greatly prevent the injustices experienced even in an Islamic Country that defines the human legal systems or the form of government of the state as "Islam". Absolute justice (Adalet-i Mahza) cannot be fully achieved by anyone other than Allah. It is described as "justice-i mahza", "complete and perfect justice", "justice that does not sacrifice the right of a person, even if it is for all people".



Individuals/ citizens who believe that they have been wronged in domestic law authorities should go to an International Supreme Court after NGOs have exhausted their domestic legal remedies, and sometimes this is really needed. In these cases, Muslim citizens choose to go to the Islamic Court of Justice instead of the ECHR.

In order to prevent the intervention of the Imperial States in Islamic Countries by rendering the Thesis of Conflict Between Civilizations ineffective, the ASRIKA Islamic Justice Order is necessary.

Non-Muslim imperialist states exploit the conflicts between Islamic countries and provoke them against each other, in order to weaken the Islamic countries and bring them to the status of "Weak State, Collapsed State". In this case, the imperial West sees the violations of rights and justice in Islamic Countries as an international intervention and an opportunity for exploitation, under the pretext of bringing so-called "democracy" to those countries.

Due to the need to resolve disputes between Islamic countries peacefully, the ASRICA Islamic Justice Order is necessary. If Islamic countries were to resolve disputes among themselves through a High International Court of Justice to which they are subject, there would be no opportunity for the intervention of imperialist states.

Most importantly, the great imperialist powers do not have the courage to seize their lands and commit massacres and genocide by invading Islamic countries. If it has a strong Islamic Sudden Intervention force with Joint Defense and Defense Industries; it means an ASRICA Islamic Union Confederation that ensures justice within itself has solved its own problems in five issues (joint Justice, Defense, Defense Industry, Internal Affairs and Foreign Affairs) that are the main areas of activity among the Federal states that make up the Confederation, and has ensured a strong union of states on the world level.

## **6.5. ORGANS OF THE IMPERIAL WORLD ORDER**

### **6.5.1. UNITED NATIONS**

#### **6.5.1.1. PURPOSE AND FUNCTION OF ESTABLISHMENT OF THE UN ORGANIZATION**

Although the UN was established with the aim of promoting world peace, security, social progress and living standards, supporting human rights, developing friendly relations, preventing wars and threats to peace, establishing friendly relations between countries, and ensuring international economic and social cooperation, it functions as an organization used to manage the world, and especially the Islamic world and its resources, in accordance with the interests of the five states that won the Second World War (USA, England, France, Russia, China).

#### **6.5.1.2. PURPOSE AND FUNCTION OF THE UN SECURITY COUNCIL**

The Security Council consists of fifteen members of the UN. China, France, the Russian Federation, the United Kingdom, the United States of America are permanent members (with veto power) of the Security Council. Although the UN Security Council, which was first convened in 1946, is a body tasked with ensuring global peace and security, it has been the focus of occupation and domination since its establishment. While the UN Security Council has

the authority to impose sanctions or authorize the use of force to maintain or restore international peace and security, it often fails to take decisive decisions. Because permanent members with conflicting views on global issues veto incoming proposals.

The veto right of Permanent Members is the biggest obstacle to world peace...

The most important issue regarding the 5 permanent members is that they can veto any draft decision discussed in the Council. The veto of one of the permanent members is enough to reject the draft resolution. If the permanent members abstain, the Council can take a decision. There are no regulations to prevent such a conflict of interest if the countries with this veto power are directly or indirectly involved in the conflict. In 2020, more than 100 countries backed a proposal by France and Mexico to regulate the use of veto powers. According to this proposal, where a "mass atrocity" took place (such as in GAZA), the permanent members of the Security Council would voluntarily and collectively undertake not to exercise their right of veto. In the past, some countries, such as Spain, have called for the complete abolition of veto powers. Today, Türkiye frequently raises the issue of the complete abolition of veto power.

In this regard, the President of the Republic of Türkiye, Mr. Recep Tayyip Erdoğan, opposes this distorted structure of the Security Council by saying "The world is bigger than five". Even if a decision is taken by the votes of 192 countries in the UN General Assembly, which has 193 members, when one of the conflicting parties is a permanent member, the coercive role of the Security Council becomes null, and void and the system does not function. No steps can be taken to end the conflicts in the UN General Assembly.

#### 6.5.1.3. UN INTERNATIONAL COURT OF JUSTICE

One of the main organs of the United Nations is the International Court of Justice (ICJ). Its main duty is to resolve disputes brought by states in accordance with international law. The Court also gives advisory opinions on matters requested by the UN General Assembly and the Security Council, as well as by other organs and specialized agencies of the UN authorized by the General Assembly.

In order to ensure global justice, two separate institutions were established in The Hague, the Netherlands, under the name of the International Court of Justice in 1946 and the International Criminal Court in 2002.

Only states can be parties in cases before the Court. The jurisdiction of the Court covers all matters to be submitted to it by the parties and all situations specifically stipulated in the UN Charter or in the treaties and conventions in force. Each member of the UN is obliged to comply with the decision of the ICJ in all disputes to which it is a party. If one of the parties to a dispute fails to fulfil its obligations under a judgment of the Court, the other party may apply to the Security Council. If the Council also deems it necessary (!), it may make recommendations for the implementation of the provision or decide on the measures to be taken. The Court is obliged to resolve disputes submitted to it in accordance with international law.

Although it is said, the actual situation is different from this...

Genocide, human rights violations and war crimes committed in the world cannot be solved by the current UN and its mechanisms. Unfortunately, the most victims are Muslim peoples.

Laws created in good faith can only be enforced by force.

“Justice that is not based on force is impotent, force that is not based on justice is cruel”.  
(Pascal)

“Genocide” first entered international documents with the 1948 UN Convention on the Prevention and Punishment of Genocide. Although the genocide is clearly described in international law, the crimes committed by Israel and the Permanent Members of the UN (Gang of Five) have never been prosecuted.

Article 2 of the said contract includes the following: Any of the following acts committed with the aim of partially or completely eliminating a national, ethnic, racial or religious group constitutes the crime of genocide:

- 1) Killing members of the group,
- 2) Serious physical or mental harm to the members of the group,
- 3) Intentionally changing the living conditions of the group by calculating that it will completely or partially eliminate its physical existence,
- 4) To take measures to prevent births within the group,
- 5) Forcibly transferring children belonging to the group to another group.

Although the elements of the above-mentioned Genocide crime have been committed thousands of times in the oppressed Islamic geography, especially in the Middle East region, unfortunately, the criminals have not been punished. On the contrary, the innocent was punished instead of the wrongdoers.

This is because of the current World Order. The Established World Order was built by the victors of World War II. In this respect, "the law of superiors, not the rule of law" is observed. Therefore, justice for Muslims should not be expected from this order. Justice should not be expected not only for Muslims, but for the human realm...

Where there is no justice, there is no trust. Where there is no trust, there is terror and anarchy. Where power is just, justice is strong.

As an example, a total of 280 thousand people died in the atomic bombs dropped on Hiroshima and Nagasaki by the USA in World War II. Not US President Truman, but Japanese Prime Minister Hideki Tojo was held responsible for this incident and executed with 6 people.

The International Court of Justice is a structure that imposes limits on small states...

In the International Criminal Courts established for Rwanda and the Former Yugoslavia, the definition in the UN Genocide Convention was used exactly in Article 6 of the Rome Statute, the founding agreement of the International Criminal Court. A prominent element in the determination of this crime was the determination of the perpetrator's “genocidal intent”. Actions aimed at destroying one of the four groups "for no other reason than because of membership in that group" were used in the Bosnia and Rwanda massacres because they showed genocidal intent.

Nominately;

- 1) In the genocide that took place in Srebrenica in eastern Bosnia and Herzegovina in July 1995, 4 of the Serbian officials held responsible for killing thousands of Bosnian civilians were sentenced to life imprisonment by the International Criminal Tribunal for the former Yugoslavia (ICTY) in 2016, and 45 Serbs were sentenced to a total of 699 years in prison.
- 2) In Rwanda, in 1994, the Hutus launched a genocide against the Tutsis, whom they held responsible for the crash of then-President Juvenal Habyarimana's plane. More than 800,000 Tutsis lost their lives in the 100-day massacre in the country. On 2 September 1998, the International Criminal Tribunal for Rwanda (ICTR) sentenced Jean-Paul Akayesu, the mayor of the city of Taba, and Jean Kambanda, the then Prime Minister of Rwanda, to life imprisonment for genocide on 4 September 1998.
- 3) Justice is “to give the right to the deserving and the right to the oppressor”. We stated that the International Criminal Court was established in 2002. However, known murderers such as POTUS George W. Bush, who signed the decisions of the invasion of Afghanistan in 2001 and Iraq in 2003 and the subsequent decisions, could not be sentenced to the punishment they deserved in these courts.
- 4) Another example is for the Zionists, the perpetrators of the occupation and massacres that have been going on in Palestine for more than 100 years, or the discriminatory pressures applied by China in East Turkestan, the US and its accomplices in Iraq, Afghanistan and Syria, Russia in Chechnya and Afghanistan and even in Ukraine, India's invasion of Kashmir, and the crimes committed by the brutal oppressors in the whole oppressed and victimized Islamic geography, unfortunately, could not come to the ICJ.
- 5) The International Court of Justice and the International Criminal Court have been almost completely dysfunctional in the face of all kinds of oppression and persecution of Muslims since the events of September 11, 2001, and finally since the events of October 7, 2023 in the Palestinian (GAZA) territory. In fact, the resignations of the employees of the institution who made a sound to the events in question were requested and they were on the side of persecution and oppression.
- 6) As of February 2024, the Israeli Terrorist State has entered the blood of more than 29,000 families, children and elderly people in Gaza. The number is increasing day by day. Unfortunately, the Islamic World remained silent and scored ‘0’ for this persecution. The Republic of South Africa saved human dignity by complaining to the Hague Court of Justice about the Terrorist State of Israel. The hearings began on 11-12 January, with Jordan, Türkiye, Malaysia and Indonesia announcing their support for the case... Anadolu Agency shared all the information, documents and images it had with the court.

So, why did the Republic of South Africa open the genocide case?

Or why couldn't Islamic countries open this case?

- a) The indigenous people of the Republic of South Africa regard their freedom as equal to the freedom of Palestine.



*Picture Indigenous people of the Republic of South Africa see their freedom as equal to the freedom of Palestine*

- b) What is happening in Gaza is seen by South Africans as the same as ‘apartheid’, that is, the ‘racial discrimination regime’ in their own country. Between 1948 and 1994, there was an ‘apartheid regime’ against non-whites in South Africa. Blacks have been expelled from their areas and denied citizenship. ‘People of color’ from countries such as India and Malaysia have moved to certain neighborhoods. East Asians enjoyed equal rights with whites and were called ‘honorary whites’. In 1990-1994, 14,000 Africans lost their lives in anti-regime events. ‘Apartheid’ went down in history as the first regime to legislate racism. The Terrorist State of Israel was the British aide in carrying out these policies. Africans, especially the people of South Africa, do not forget their past atrocities, and that is why they stand with Gaza today...

The International Court of Justice discussed the complaint of the Republic of South Africa and adjudicated on 26 January 2023. The International Court of Justice (ICJ) has ordered the State of Israel to take all measures to prevent genocide and to refrain from any action related to killing, attacking and destroying the residents of Gaza, in response to the demand that the 'Israeli Terrorist State should immediately stop its military operations in Gaza'. In addition to the interim injunction, he decided that the Israeli Terrorist State should be tried for the crime of Genocide.

In a statement after the announcement of the decision on the trial of Israel, the South African President said: “I’ve never felt prouder than I do today...” He became the proud voice of the silent world.



*Picture 2 Cyril Ramaphosa's Table of Pride*

Our prediction is that the Israeli Terrorist State will not heed this decision and will continue its massacres. The Republic of South Africa will also take this situation to the UN Security Council. The supporters and accomplices of the Israeli Terrorist State will veto the adoption of a recommendation and precautionary decision.

Extract There is no 'Justice' for Muslims in Palestine (GAZA) from the UN and its organs...





*Picture 3 International Court of Justice*

- 7) The fact that this complaint was not made by Islamic countries is a separate source of sadness. It was only on the 35th day of the massacres that the OIC was able to make a recommendation. This is the clearest indication of what kind of vortex the Islamic World is in.
- 8) We would very much like this crime of genocide to be dealt with in the Islamic Court of Justice... However, the Islamic Court of Justice has not been operational for 40 years since its establishment in 1987. The main reason for this is that the vast majority of the member countries (57 Islamic Countries) have not signed the bylaws of the Islamic Court of Justice of 49 countries, except for 8.
- 9) Currently, a new model is needed. We believe that the preservation of peace and the punishment of the oppressors will only be possible with the institutions and organizations to be established by just Muslims.
- 10) Today, our world has become an unbearable place for the weak and oppressed. The main reason for this is that our world is a Jewish prison under the rule of "Jewish Nazism-Political Zionism"... The UN is also the institutional operator (Director) of this prison. Countries are the wards of this prison, and the purchased collaborative leaders are the guards of these wards. This is not sustainable. The exit from this vortex is only possible with a "fair order" to be established with the Model ASRICA Confederation Islamic Union Model.

## 6.5.2. EUROPEAN UNION

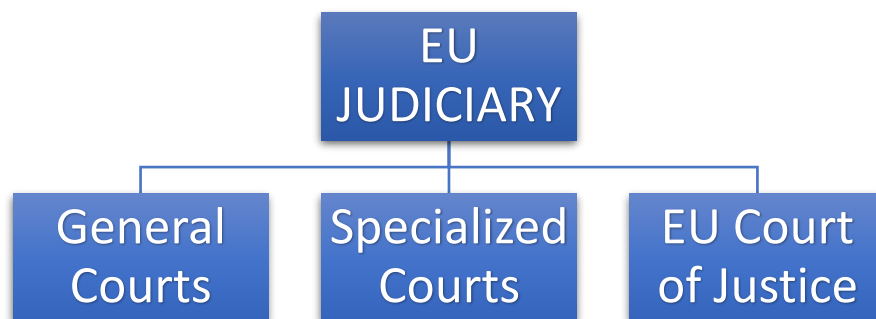
### 6.5.2.1. PROCEDURES AND PRINCIPLES OF THE ORGANIZATION RELATED TO JUSTICE IN THE EUROPEAN UNION

With the Maastricht Treaty (Treaty on European Union), a three-column European Union structure was established. The third pillar of this structure is "Justice and Home Affairs". Justice and home affairs policies in the European Union also aim to protect human rights. Justice Policy

aims to harmonize the legal system in EU member states. This includes a proper reorganization of fair trial and punishment processes in the EU, where justice operates effectively. Justice policies are supported by the European Court of Justice to facilitate the recognition and enforcement of court decisions by each other among EU countries. The main objective of the Court of Justice is to ensure that European Union law is interpreted and applied in the same way everywhere within the European Union. The Court of Justice of the European Union is the judicial body of the European Union and consists of a tripartite structure consisting of the Court of Justice, the General Court and the specialized courts.

#### 6.5.2.2. COURT OF JUSTICE OF THE EUROPEAN UNION

It is the judicial body of the European Union and consists of a tripartite structure consisting of the Court of Justice, the General Court and the Specialized Courts. The main objective of the Court of Justice is to ensure that European Union law is interpreted and applied in the same way everywhere within the European Union.



*Figure 1 Organizational Chart of EU Jurisdiction*

The Court of Justice of the European Union consists of 1 judge and 11 general lawyers (legal spokespersons) from each EU member state. Listens to the preliminary decisions, annulments and appeals of the National Courts.

Field of Activity and Functions of the Court of Justice; Ensuring respect for law in the interpretation and application of Union law,

- a) Ensuring respect for law in the interpretation and application of Union law
- b) Regulation of the relations between national legal orders and the EU legal order,
- c) Legal audit,
- d) Comment,
- e) Dispute resolution,
- f) Making the Doctrine of Law,
- g) It performs the functions of filling gaps.

Even if it is... In practice, the situation is different. Unfortunately, European Muslims are discriminated against. The EU's top court, the Court of Justice, ruled on July 15, 2021, that companies can ban their employees from wearing headscarves under certain conditions. It ruled that the headscarf ban imposed by a municipality in Belgium did not violate freedom of religion and belief. However, freedom of religion and conscience has been guaranteed in many international conventions, especially the United Nations (UN) Universal Declaration of Human

Rights and the European Convention on Human Rights (ECHR). It is prohibited to discriminate against people because of their religion, belief or sect. Despite such important assurances at the international convention level, anti-Islam and anti-Muslim sentiment is widespread. European Union institutions and organizations are hypocritical and have double-standards for European Muslims by being influenced by Genetic Christianity... The decision taken by the EU Court of Justice is one of the most obvious indicators of this.

#### 6.5.2.3. COUNCIL OF EUROPE and EUROPEAN COURT OF HUMAN RIGHTS

##### 6.5.2.3.1. COUNCIL OF EUROPE

Although the Council of Europe is often confused with the European Union, it is actually a completely different institutional structure. The Council of Europe and the European Union, which use similar flags, are institutionally separate from each other. But so far, no EU member state has become a member of the EU without becoming a member of the Council of Europe.

Türkiye is among the founding members of the Council of Europe and has been a "candidate country" to the EU since 1999. As is known, 27 EU member states are also members of the Council of Europe.

The Council of Europe is an intergovernmental organization established in 1949 to defend human rights, democracy and the rule of law throughout Europe. The European Court of Human Rights is subordinate to the Council of Europe. The Convention was signed by the foreign ministers of the member states of the Council of Europe in Rome on 4 November 1950 and entered into force on 3 September 1953. It is noteworthy that it was established in a short period of 1 year and its charter was signed. It should set an example for the OIC and the Islamic Court of Justice.

“The aim of the Council of Europe is to achieve a stronger unity among its members in order to protect and realize the ideals and principles that are their common heritage and to facilitate their economic and social progress.” (EC Convention Art.:1)

##### 6.5.2.3.2. EUROPEAN COURT OF HUMAN RIGHTS (ECTHR)

The European Court of Human Rights (ECtHR) is an international court established in 1959 (perpetuated by some amendments in 1998) under the Council of Europe, which is an international organization. The Court consists of a total of 47 judges, one from each member state that is a party to the European Convention on Human Rights. The ECHR is a full judicial control mechanism based on state and individual applications stipulated by the ECHR.

Türkiye ratified the European Convention on Human Rights on 18 May 1954 and recognized the right of individual application on 28 January 1987. It accepted the compulsory jurisdiction of the court on 28 January 1990. The ECHR has been ratified by 47 Council of Europe member states.

The EU Court of Human Rights has unfortunately given a bad test when it comes to violations of freedom of religion and conscience in Türkiye and Türkiye. Especially in the period of February 28, he found the decisions taken by the administration justified and became a partner in a great persecution.

On the other hand, the ECHR has always been tolerant of the anti-Türkiye terrorist organization and its members. As it will be remembered, in the decision taken on 10 December 2019, Osman Kavala's detention since 2017 was seen as a 'violation of rights'. Osman Kavala and Selahaddin Demirtaş were innocent and should be released. Of course, Türkiye did not implement this biased decision. For this reason, some members of the Human Rights Watch Committee want the EU Council to initiate and put pressure on the 'infringement procedure' against Türkiye.

Therefore, the ECtHR has a double-standard attitude with this structure. It cannot be fair to Muslims in Türkiye and Europe...

## 6.6. THE PURPOSE AND FUNCTION OF THE ESTABLISHMENT OF THE ISLAMIC COOPERATION ORGANIZATION

### 6.6.1. HISTORY

The Organization of the Islamic Conference, the organization before the Organization of Islamic Cooperation, was established in 1971 with a decision taken at the first Islamic Summit Conference held in Rabat on 22-25 September 1969 in response to the arson of Al-Aqsa Masjid in Jerusalem on 21 August 1969. The name of the organization, which has 57 member countries where the majority or a significant part of the country's population is Muslim, was changed to the Organization of Islamic Cooperation (OIC) at the summit held in Astana, the capital of Kazakhstan in 2011.

The Organization of Islamic Cooperation, which was established by 24 countries, including Türkiye, increased the number of member countries to 57 with the accession of the Ivory Coast to the organization in 2001. However, as a result of the suspension of Syria's membership in 2012, the number of member countries of the organization decreased to 56.

Finally, with the participation of Guyana in 2016, the number of members of the organization became 57 again. The Organization of Islamic Cooperation, which is the second largest international organization in the world after the United Nations, is very rich in terms of both population and natural resources. In addition, the total population of the member countries of the organization is one fifth of the world population. In this sense, the organization has an important economic potential in terms of both human capital and natural resources.

When the geographical distribution of the countries that are members of the Organization of Islamic Cooperation is examined, it is seen that Asian and African countries constitute the majority. In the organization where only Türkiye and Albania are located from Europe, Suriname and Guyana are located from the American Continent. In this sense, although it is possible to say that the organization has spread to 4 continents, its main area of influence is Asia and Africa. The headquarters of the organization, which includes 5 observer members besides 57 participating members, is in Jeddah and its official languages are French, English and Arabic.

### 6.6.2. STRUCTURE AND ORGANS OF THE ORGANIZATION OF ISLAMIC COOPERATION

The Organization of Islamic Cooperation basically has 11 bodies in total. The three most important bodies are the Summit Conferences, the Conferences of Foreign Ministers and the General Secretariat.

#### 6.6.2.1. SUMMIT CONFERENCES

Unless there is an unusual situation, it is held every 3 years with the participation of the country's kings or heads of state. In these meetings, political, economic, social and cultural problems of Islamic countries are generally discussed and the activities to be done to overcome these problems are presented.

#### 6.6.2.2. COUNCIL OF FOREIGN MINISTERS

Conferences of Foreign Ministers are held in a different country every year. Other purposes of the council, whose main purpose is to supervise the implementation of the decisions taken at the Summit Conferences, are to ensure coordination between the Organization of Islamic Cooperation and the United Nations, to determine the budget, to take decisions on the establishment of new organs or committees at the point deemed necessary, and to appoint the Secretary General and his deputies.

#### 6.6.2.3. GENERAL SECRETARIAT

The main task of the General Secretariat, which is the executive body of the organization, is to monitor the implementation of the decisions taken at the Conference of Foreign Ministers by carrying out communication activities between the member countries of the organization, to report them and to provide the necessary support if needed. The Secretary General, who is the highest executive of the executive body, is appointed by the Council of Foreign Ministers for a maximum of two consecutive terms of five years, unless otherwise stated, and acts independently without orders by any country in the decisions he/she will take during his/her term in office.

#### 6.6.2.4. STANDING COMMITTEES

There are also four basic committees established by the Organization of Islamic Cooperation to achieve its goals in private areas, apart from its existing bodies to achieve its basic goals. These committees, which are attended by the relevant ministers of the member states, are as follows;

- a) Jerusalem Committee
- b) Standing Committee on Economic and Commercial Cooperation of the Organization of Islamic Cooperation (COMCEC)
- c) Standing Committee on Information and Cultural Affairs (COMIAC)
- d) Standing Committee on Scientific and Technological Cooperation (COMSTECH)

Among these committees, the only committee that stands out politically and religiously is the Jerusalem Committee. The main purpose of the Jerusalem Committee, which was established in 1975 in Rabat, is to coordinate economic aid to people living in various cities of Palestine, especially Jerusalem. Apart from this, the committee determines the measures to be taken for the protection of the religiously sacred structures in Jerusalem and its surroundings, especially the Masjid Al-Aqsa, and monitors the implementation of the necessary practices.

Other committees other than the Jerusalem Committee were established in order to ensure the economic and social development of the countries and to increase the relations of the member countries with each other in these areas. In this sense, it is understood that the OIC is not only a political and religious organization. In particular, the Standing Committee on Economic and Commercial Cooperation of the Organization of Islamic Cooperation (COMCEC or COMCEC) develops projects and studies among the OIC committees to increase the economic development levels of the countries.

However, the Organization of Islamic Cooperation has not been successful in solving the internal and external problems of the Islamic World in the past 53 years.

The reasons for this can be listed as follows.

- 1) The Islamic World's inability to build a new power center against the West after the Ottoman Empire.
- 2) The fact that the Member Countries of the Organization of Islamic Cooperation cannot be in a uniform economic and commercial situation. Some countries' economies are good, while others struggle with poverty.
- 3) Trade among OIC members is very low despite half a century.

In this sense, it is possible to classify the OIC member countries into 3 groups according to their economic development levels.

- 1) Underdeveloped Countries: This group includes Afghanistan, Bangladesh, Benin, Burkina Faso, Djibouti, Chad, Gambia, Guinea, Guinea-Bissau, Comoros, Maldives, Mali, Mauritania, Mozambique, Niger, Senegal, Sierre Leone, Somalia, Sudan, Togo, Uganda and Yemen. The main problem in these countries is poverty. In these countries, which mostly export agricultural products, industrialization is almost non-existent.
- 2) Middle Income Countries: This group includes Albania, Guyana, Indonesia, Morocco, Ivory Coast, Palestine, Cameroon, Kazakhstan, Kyrgyzstan, Lebanon, Malaysia, Egypt, Uzbekistan, Pakistan, Suriname, Jordan, Tajikistan, Tunisia and Türkiye. These countries are at a better level in both industry and services than the countries in the first group. However, when compared with the economies of developed countries, they are insufficient in terms of both per capita income and production level.
- 3) Oil Exporting Countries: This group includes Azerbaijan, Bahrain, United Arab Emirates, Brunei, Algeria, Gabon, Iran, Iraq, Qatar, Kuwait, Libya, Nigeria, Oman, Saudi Arabia and Turkmenistan. Although the economic development levels of these countries, whose exports are based on natural resources, are not at the same standard, the development rate of each country in the group is quite high.

Therefore, from this point of view, it is noteworthy that there is no uniformity between countries and the lack of an industrialized country group within the organization. In this context, the "Procedures and Principles of Islamic Economy and Economic Cooperation of Islamic Countries" proposed by ASSAM at its 2nd Congress in 2018 should be implemented with determination.



#### 6.6.2.5. INTERNATIONAL ISLAMIC COURT OF JUSTICE

It is the 5th body of the Organization of Islamic Cooperation. It was envisaged to be established in 1981, but it could not enter into force because the member countries have not yet signed the Statute of the Court of Justice. Their main tasks will be to discuss all kinds of issues that the member countries will transfer, including agreements and contracts, and to solve the problems that will arise between them or that will arise from the establishment document of the organization.

The idea of the Islamic Court of Justice emerged during the war between Iraq and Iran (1980-1988) and immediately after the invasion of Kuwait by the Iraqi armies during the Second Gulf war. On the other hand, the First Gulf War has shown that there is an urgent need for a legal body for the peaceful settlement of international disputes.

According to the decision adopted at the Third Islamic Summit Conference held in 1981, it was envisaged to establish the Islamic Court of Justice as a fifth body responsible for peacefully resolving disputes that may arise between member countries. It is headquartered in Kuwait.

##### 6.6.2.5.1. STRUCTURE OF THE COURT OF JUSTICE

###### 6.6.2.5.1.1. FORMATION OF THE COURT OF JUSTICE

According to Article 3.a of the Statute of the Islamic Court of Justice, the Islamic Court consists of seven judges. These seven judges can be re-elected for a period of four years and only in a second term. According to Article 4 of the Regulation, only persons who have the following characteristics can be appointed as judges:

Assignee

- 1) Must be Muslim,
- 2) Must be a citizen of one of the OIC member countries,
- 3) It should have a high level of morality,
- 4) Must be over forty years of age,
- 5) Must be competent in the field of Islamic law and international law,
- 6) Must hold a high-level judicial position in their home country. The President is elected from among the members of the court. Regarding this issue, it is also worth mentioning that only men can be appointed as judges in accordance with the opinion of the majority in Islamic civil courts. However, this requirement is not clearly stated in the charter of the Islamic Court of Justice.

To date, only eight member states have ratified the charter of the Islamic Court of Justice. These are respectively; the State of Kuwait, the Kingdom of Saudi Arabia, the Hashemite Kingdom of Jordan, the Libyan Arab People's Socialist Jamahiriya, the State of Bahrain, the State of Qatar, the State of Egypt and the Republic of Maldives. 49 more approvals are needed for the ICJ to be an effective institution.

It is found in various paragraphs of the following article 5 regarding the appointment of judges. Judges are elected by secret ballot from the list of candidates of the member states prepared by the General Secretariat at a special session of the Meeting of Ministers of Foreign Affairs. An absolute majority is required to become a judge of the Islamic Court. According to

subparagraph e of Article 5, the election of the President and the judges of the Court shall be made according to the geographical and linguistic distribution of the member states.

Pursuant to Article 8 of the Rules of Court, judges may not engage in any political activity that does not coincide with the profession of judge and may not participate in a case that they have previously dealt with as a member of a national or international court.

#### 6.6.2.5.1.2. JURISDICTION

The Islamic court has disputed and advisory jurisdiction. With regard to disputed jurisdiction, Article 21 (a) of the Statute of the Court states that only Member States of the OIC may be represented before the Court. However, according to Article 21 (b), a state that is not a member of the OIC may file a complaint before the Islamic court, provided that it accepts the provision that will emerge at the end of the trial.

Article 25 of the Rules of Court states that the court is competent in the following cases.

- a) To discuss all matters related to the OIC member states before the Court
- b) The court is competent for all relevant matters in any applicable agreement or contract
- c) Interpret any agreement or contract, whether unilateral or bilateral
- d) Studying any subject of international law
- e) To initiate a preliminary examination on any issue in which there is a violation of international obligations
- f) Determine the nature and amount of compensation in the event of a breach of any international obligations

Article 26 of the Regulation lays down an important rule that the jurisdiction of the ECJ is optional. A declaration of consent must be given to the jurisdiction of the court. In this way, states necessarily recognize the competence of the Islamic court to resolve judicial disputes.

Such declarations shall not be subject to reciprocity and shall be submitted to the Secretary-General of the OIC, who shall transmit a copy thereof to the other Member States. The recommendations of the Islamic court are not open to states. In case of a request, as stated in Article 42 of the Regulation, upon the request of any body of the OIC, the issue is approved at the meeting of the Ministers of Foreign Affairs and this request is ensured. The Islamic court has the right to express an advisory opinion (or fatwa) on any legal matter not currently discussed.

#### 6.6.2.5.1.3. DECISIONS

According to Article 37 (c) of the Court's Statute, decisions are made by absolute majority and the names of the judges participating in the vote are mentioned with the justification of the decision given according to paragraph (d). Article 38 states that the decisions only bind the parties to the dispute, while Article 39 states that the decisions are final and have no appeal. If a party does not comply with the decision of the court in accordance with Article 39 (c), the matter shall be referred to the meeting of Ministers of Foreign Affairs.

#### 6.6.2.5.1.4. IMPLEMENTATION OF DECISIONS

The enforcement of court decisions is not possible with the current structure. The decisions to be taken are advisory. There must be a sanction force that will "give the right to the deserving and the right to the oppressor" to end the conflicts and conflicts. This will only be possible by gathering the Islamic Countries developed by Assam as a model under a Confederative roof.

#### 6.6.2.6. INDEPENDENT PERMANENT HUMAN RIGHTS COMMISSION

Independent Permanent Human Rights Commission (IPHRC), which was decided to be established within the framework of the OIC Ten-Year Action Plan adopted at the 3rd Extraordinary Islamic Summit held in Mecca between 7-8 December 2005, started its activities in 2012, based in Jeddah, with the adoption of the IPHRC Regulation at the 38th DBK (Council of Ministers of Foreign Affairs) Meeting held in Astana between 28-30 June 2011.

Our country hosted the Second Ordinary Session of the IPHRC held in 2012 and the Anti-Islamophobia Seminar held in 2018.

The IPHRC consists of 18 members, six of whom are from Asian, African and Arab groups. Dr. Hacı Ali Açıkgül, Head of the Human Rights Department of the Ministry of Justice, representing our country at the IPHRC, was re-elected as a member and will continue his duty for another term as a result of the elections held for the seats that will become vacant in 2024 within the scope of the 49th DBK.

#### 6.6.3. PROBLEMS FACED BY THE ISLAMIC COOPERATION ORGANIZATION

- 1) Although the geographical locations of the member countries are close to each other, the different political preferences of the countries prevent them from acting jointly on many issues. Although there are many reasons for this situation, the most important is the ethnic and sectarian conflicts between countries. As a matter of fact, the Middle East and Africa have witnessed the wars of many Muslim countries.
- 2) Another important problem faced by the OIC is the lack of supply. For the time being, it does not seem possible for these countries, which produce almost nothing except natural resources and agriculture, to provide a sufficient economy for themselves. Both the unqualified human capital and the fact that they are dependent on the outside world in many areas oblige countries to act according to their own interests. Therefore, these countries often have to accept the impositions of other non-member countries.
- 3) The ineffectiveness of Muslim countries both economically and politically in their geography obliges them to enter into relations with other states in the region. Therefore, this situation directs Muslim countries to regional alliances and moves them away from the OIC. While countries in Central Asia are under the influence of Russia, countries such as Malaysia and Singapore are getting closer to countries such as China and Japan. Again, Türkiye and Albania are trying to enter the European Union while acting with the OIC. As a result, the priority for any Muslim country is not the Organization of Islamic Cooperation.
- 4) In addition to the political problems experienced within the OIC, economic problems also prevent cooperation. The development differences between the member countries of the Organization of Islamic Cooperation prevent economic adaptation. Although the

number of OIC member countries is 57, 77.7% of total exports are made by only 10 countries. This situation differentiates the economic priorities of the countries and therefore prevents joint action. At the same time, this situation causes not every country to have an equal say in the OIC.

- 5) Despite its 53-year history, the OIC has been inadequate in realizing the expected cooperation between member countries. The most important reason for this is that the OIC remains under the shadow of the current world order...
- 6) The OIC is similar to other international organizations in terms of its structure, objectives and the bodies established within its body, but cannot achieve the desired level of success compared to its counterparts due to the non-implementation of the decisions taken.
- 7) The existence of various disagreements between member countries in the historical process and the difference in the economic development levels of the member countries of the organization are the main reasons for this failure. Apart from this, some of the member countries are extremely poor and the other part provides income only from natural resources. In this sense, the difficulties experienced at the level of production other than agricultural products oblige the member countries to other states, and therefore the countries have to approach other countries that are not members of the organization by acting in their own interests. In this case, there is no unity between the member countries of the organization.
- 8) It is possible to reveal the failure of the OIC with today's developments. Examples include extreme poverty in the member countries of the African Continent, ongoing wars or disagreements between member countries in the Middle East, and insufficient trade volume between member countries. It is noteworthy that cooperation is insufficient, especially in the field of trade. As a matter of fact, in 2017, 19.6% of the total exports and 18.4% of the total imports of the member countries of the Organization of Islamic Cooperation were realized with the members of the organization. Therefore, intra-organizational trade needs to be developed. Trade dependence on countries that are not members of the organization should be ended.
- 9) The Organization of Islamic Cooperation is among the reputable organizations in the world in terms of its size. However, due to its performance so far, it has not been able to have a worldwide impact either economically or politically.

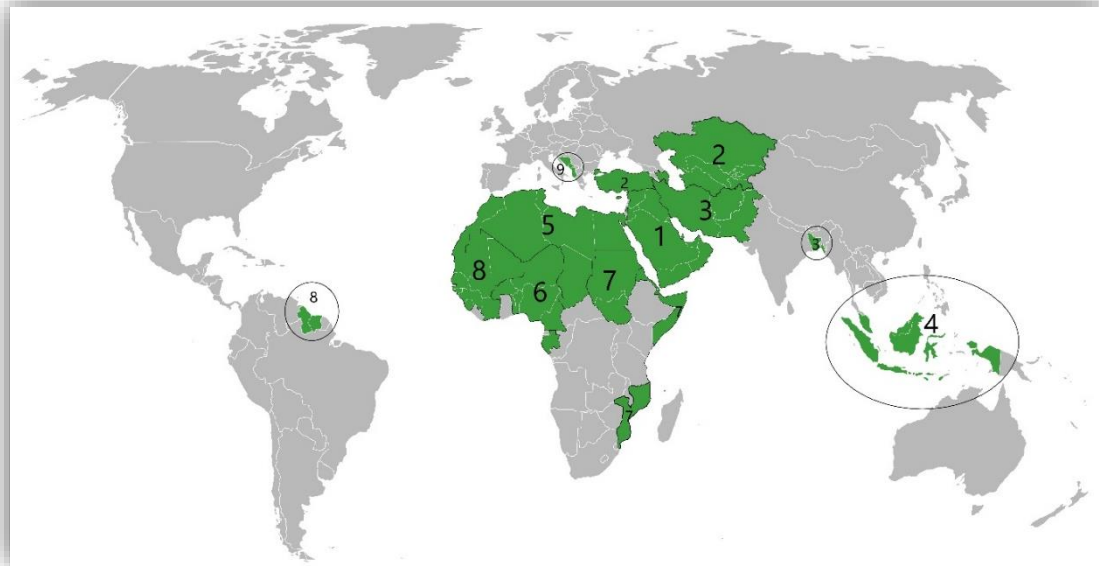
## 7. OUR PROPOSAL FOR THE UNION OF ISLAMIC COUNTRIES MODEL

As a result of 7 international congresses held between 2017 and 2023 with the participation of academicians, lawyers, bureaucrats and non-governmental organizations from Islamic countries, a model proposal has emerged for the formation of a Union of Islamic Countries.

We call this model the ASRIKA ISLAMIC Union Model.

### 7.1. MODEL ASRICA CONFEDERATION – ISLAMIC UNION ADMINISTRATIVE STRUCTURE

ASSAM considers it possible to create the Islamic Union by gathering under a will with a confederal structure formed by NINE REGIONAL FEDERATIONS and these REGIONAL ISLAMIC FEDERATIONS according to their ethnic and geographical proximity, without changing the national borders and structure of the 57 Islamic countries in the axis of Asia.



Map 2 Model Regional Federal States Affiliated to the Confederation of Islamic Countries of Asia

Table 1 Model Regional Federal States Affiliated to the Confederation of Islamic Countries of Asia

| Abbreviations     | Region   | Abbreviations    | Region   |
|-------------------|--|------------------|--|
| <b>1. ODBİF</b>   | Federation of Middle Eastern Regional Islamic States | <b>6. GBABİF</b> | Federation of South West African Regional Islamic States |
| <b>2nd. OABİF</b> | Federation of Central Asian Regional Islamic States  | <b>7. DABİF</b>  | Federation of East African Regional Islamic States       |

| Abbreviations    | Region   | Abbreviations    | Region   |
|------------------|--|------------------|--|
| <b>3. YDABİF</b> | Federation of Near East Asian Regional Islamic States    | <b>8. KBABİF</b> | North West Africa Regional Islamic States Federation |
| <b>4. GDABİF</b> | Federation of South East Asian Regional Islamic States   | <b>9. ABİF</b>   | Federation of Islamic Regional States of Europe      |
| <b>5. KABİF</b>  | Federation of Territorial Islamic States of North Africa |                  |  |

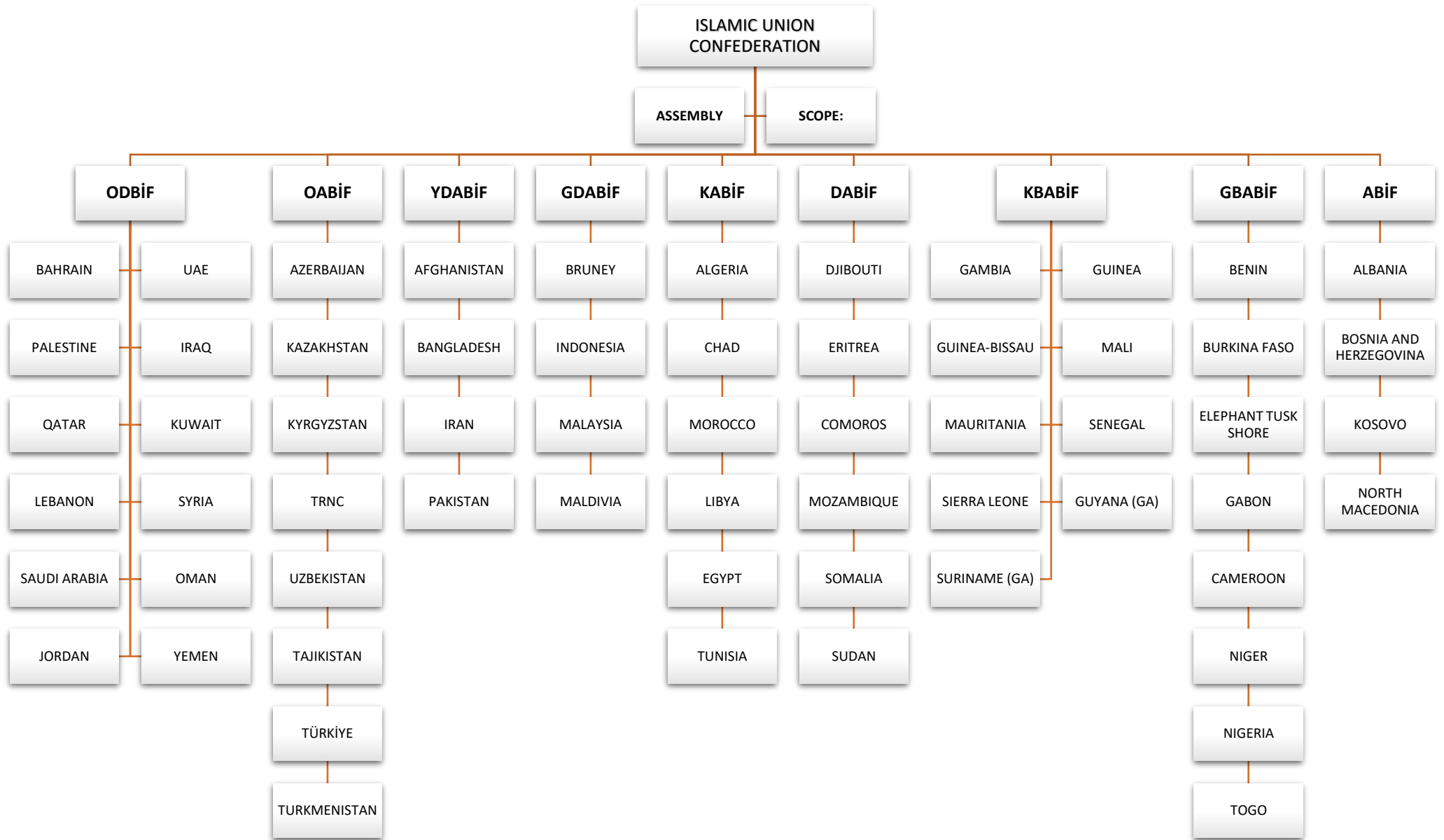


Figure 1 Model Regional Federal States Affiliated to the Confederation of Islamic Countries of Asia

In order for the Islamic Union to be formed;

- 1) The Islamic Creed should be the basic basis of the Central Will to be formed.
- 2) In order to serve for the establishment of the Islamic Union, it should be accepted that it is necessary to establish "Islamic Union Ministries" in the councils of ministers of the countries willing to establish the Islamic Union.
- 3) It must be believed that the first step of the Islamic Union is the establishment of the "Parliament of Islamic Countries".
- 4) With the common will of one STATE from each of the nine geographical regions envisaged to have a federal structure, the "ASRIKA ISLAMIC STATES UNION" should be established.
- 5) The acceptance of new states that will request to join the Islamic Union should be decided by the absolute majority of the Parliament of Islamic Countries.
- 6) In order for Muslim states to participate in the "Union of Islamic Countries", their parliaments should be able to make decisions with a majority or an absolute majority in the referendums to be held.
- 7) Issues regarding the Name of the Islamic Union to be Established, Form of Management, Status and Method of Election of the President of the Union, Official Language, Flag, Capital; Legislative, Executive and Judicial Power; Establishment of the Legislative, Executive and Judicial Bodies of the Union; Election Procedures and Principles of Parliament Members, the Budget and the Procedures and Principles of Reception by Member States, the Formation of Regional Structures, their Powers and Responsibilities, and the Powers and Responsibilities of Member States should be put into practice by the decisions of the "Parliament of Islamic Countries" in accordance with the member states.



7.1.1. FIELDS OF ACTIVITY OF THE UNION OF ISLAMIC COUNTRIES TO BE CARRIED OUT FROM THE CENTER

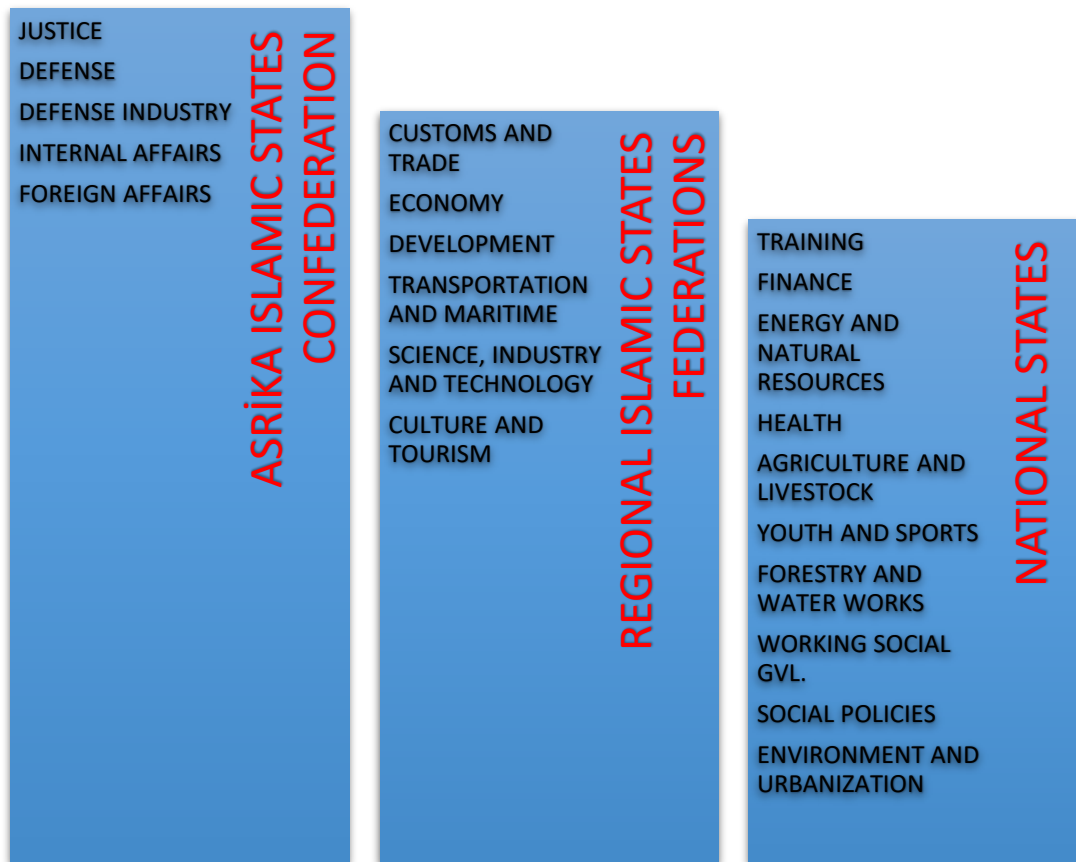


Figure 2 Model ASRIKA Confederation Fields of Activity Distribution Scheme

It is envisaged that an Islamic Union can be established to be responsible for five main fields of activity (Justice, Defense, Defense Industry, Interior, Foreign Affairs), six fields of activity of Regional Islamic States Federations (Customs and Trade, Transport and Maritime, Economy, Science, Industry and Technology, Development, Culture and Tourism), and ten fields of activity of National States (Education, Finance, Energy and Natural Resources, Health, Agriculture and Livestock, Youth and Sports, Forestry and Water Affairs, Labor and Social Security, Social Policies, Environment and Urbanization).

With the Confederative Islamic Union Model, it will be possible to fulfill the duties and responsibilities of institutions and organizations with state authority whose unity principles have been established.

## 7.2. MODEL ASRICA CONFEDERATION – ISLAMIC UNION MODEL ECONOMY SYSTEM

In order for Islamic Countries to reach a level of prosperity above world standards and gain their economic independence, it is considered necessary to establish an Islamic economic system as a second step towards the Islamic Union, which uses the technology of the age, encourages production, is based on the exchange of goods and services, is interest-free, protects labor-capital-consumer, provides fair income distribution, is not affected by the fraudulent directions of global powers, and has an autonomous money circulation system.

In order to do this;

- a. Establishment of **a customs union** between Islamic countries,
- b. Establishment of **a common market** among Islamic countries,
- c. Adoption of **monetary union** between Islamic countries, establishment of **Islamic electronic dinar currency (ASRIKA Dinar)**,
- d. Establishment of **trade zones** among the members of the Union,
- e. The **institution of zakat acquires an institutional identity under the control of the states**, and it is evaluated by gathering it as **a common fund**,
- f. Establishment of the **Chamber of Commerce, Commercial courts, Foundations** affiliated to the Union,
- g. Establishing a **common market and common production and R&D incentive fund** in the state budget of each Islamic country in line with the objectives of the Union,
- h. Conducting resource planning work with the **joint investment fund** against the exploitation of the resources of Muslim states,
- i. Creating projects that will reduce foreign dependency by establishing a joint organization for **R&D and Innovation** activities,
- j. Development of models and programs for the development of **existing tourism potential, health tourism and other tourism activities** among Islamic countries,
- k. Meeting the needs of people living on the border of hunger in many regions of Africa, **ensuring economic developments** and supporting capacity building in management mechanisms,
- l. **Establishing cooperatives and cooperation systems among Islamic countries in the mining, energy, agriculture, transportation and telecommunication and food sectors of Islamic countries and informing and supporting financial institutions operating with the slogan of Islamic banking**,
- m. Establishment of **a joint financial** institution operating according to Islamic rules,
- n. Taking measures **to increase the volume of foreign trade between member countries by following a common strategy against industrialized** countries,
- o. **Establishment of trade centers** between Islamic countries, making and developing bilateral or multilateral **preferential trade agreements**,
- p. Dissemination and development of **"Barter Trade, Participation Banking, Hand Union System and Foundations"** among Islamic Countries,

- q. Increasing economic and commercial cooperation and trade liberalization, financial cooperation between free market institutions, increasing inter-sectoral cooperation and direct investments, and increasing efforts to reduce poverty,
- r. Improving the investment environment, increasing the competitiveness in international markets,
- s. Despite the breadth of potential areas of cooperation between Islamic countries and the availability of socio-cultural structure, the **elimination of a number of political obstacles, economic system differences, domestic and inter-country instabilities and economic problems that lie on the basis of the lack of good use of this potential and the inadequacy of bilateral and inter-institutional cooperation between Islamic countries,**
- t. Among the factors that can improve economic integration between regions, it is deemed necessary to develop cultural closeness at the combination of language, religion and history, and to create a strong political will.

### 7.3. MODEL ASRICA CONFEDERATION – ISLAMIC UNION MODEL DEFENSE INDUSTRY SYSTEM

In the **Cabinet of the Model ASRICA Islamic States Confederation**, it is appropriate for the Ministry of Defense Industry to **be one of the five ministries** in order to carry out the activities of determination, production, storage, distribution, maintenance and repair, renewal, modernization and removal from inventory of the needs of Defense Industry Products.

"DEFENSE INDUSTRY Presidencies" should be established in the Nine Regional Islamic Countries Federations and "DEFENSE INDUSTRY PRESIDENCIES" should be established within the National States affiliated to each "Regional Islamic States Federation" depending on the model ASRICA Islamic States Confederation.

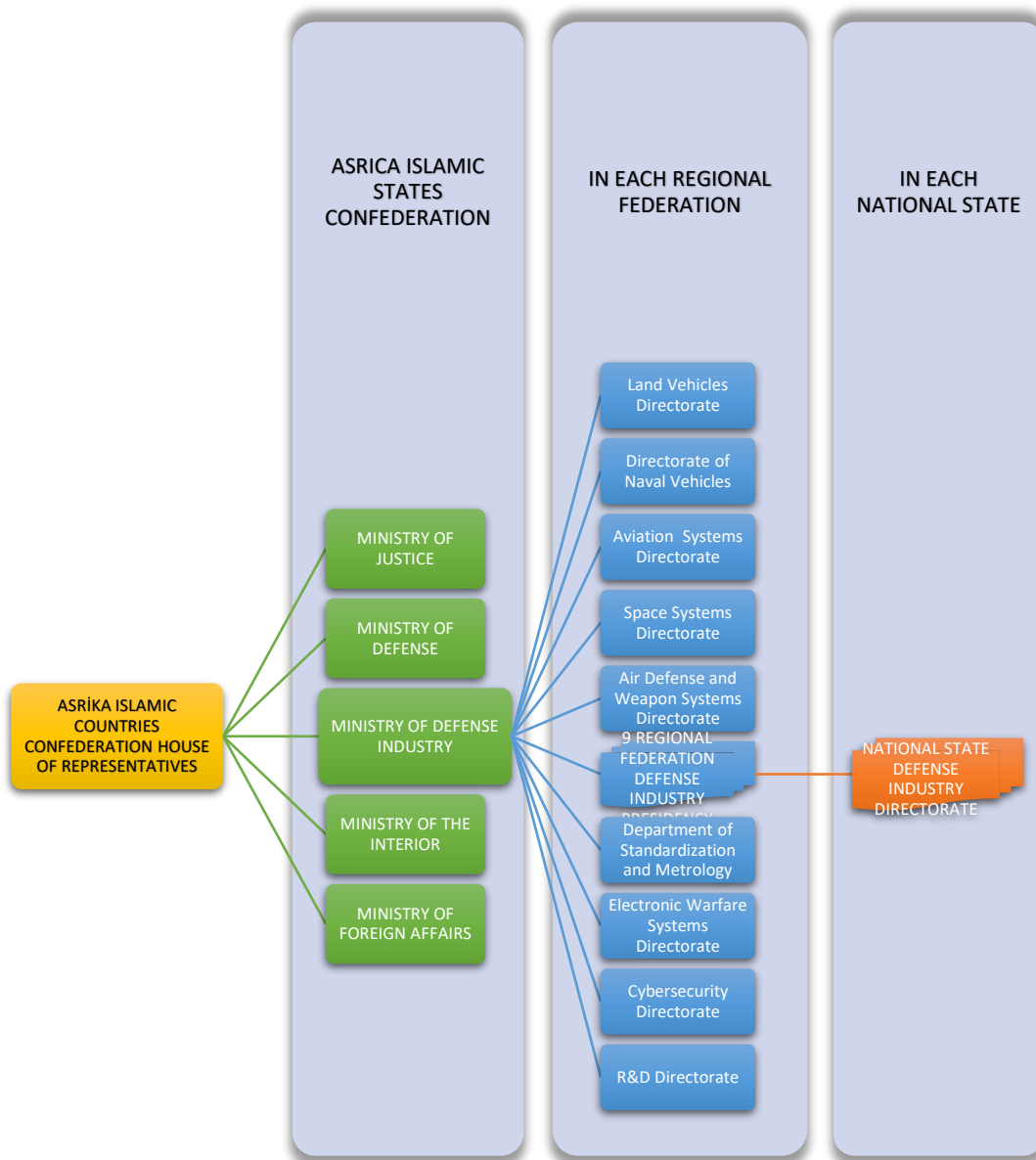


Figure 3 Model ASRICA Confederation Ministry of Defense Industry Organization Chart

By ASRICA Islamic States Confederation MINISTRY OF DEFENSE INDUSTRY; MAIN CONTRACTORS for the production of Land, Sea, Air, Air Defense, Space, Cyber and Electronic Defense Industry products should be allocated to "Regional Islamic States Federations"; SUBCONTRACTORS should also be distributed to the National States affiliated to them (regarding the allocated Defense Industrial Products) by the "Regional Islamic States Federations".

Inventories of the defense industry production facilities and heavy industry production systems within the Regional Federations and National States' defense industry directorates should be prepared.

Defense Industry Production in the Regions of Main and Subcontractors, R&D, STANDARDIZATION, CERTIFICATION, ACCREDITATION, CODIFICATION and MAINTENANCE and REPAIR centers related to the Defense Industry Production it produces should be established.

ASRICA Joint Defense Industry Production Support Fund, Joint Space Technology Center and Particle Acceleration Center should be established within the scope of scientific research and discount quotas should be applied on the basis of customs union in the use of energy and raw materials required in defense industry production.

Vocational High Schools, Faculties and Vocational Schools of Universities related to the Defense Industry products allocated to the Regional Islamic Federations and National States, which are assigned as the Defense Industry Main and Subcontractors, should be established and the Defense Industry Service Sector should be established.

Defense Industry Product inventory, Determination of Needs, Storage and Distribution and Renovation, Modernization, Separation into HEK-MAL (Scrap-Wreckage-Degraded Material), Recycling and Recycling Activities should be managed from the Center by the Ministry of Defense Industry.

#### 7.4. MODEL ASRICA CONFEDERATION – ISLAMIC UNION MODEL DEFENSE SYSTEM

According to the ASSAM concept, **DEFENSE** constitutes **one of the five fields of activity** to be carried out centrally by the Confederation.

##### **MINISTRY OF DEFENSE;**

It is envisaged that the Chief of General Staff at the Confederation Center will consist of Land, Sea, Air, Air Defense and Missile, Cyber and Electronic Security Commands and "**Joint Operations Commands**" at the Army Level, located at the center of each of the Nine Regional Federations.

As stated in Article 117 of the Draft Confederation of Islamic Countries Model Constitution; it is envisaged to establish a "Confederal Republic Security Council" under the chairmanship of the Confederal Republic President, with the participation of Confederal Republic Vice Presidents, Regional Federal Republic Presidents, Ministers of Justice, National Defense, Internal Affairs, Foreign Affairs, Chief of General Staff, Land, Naval, Air and Joint Force Commanders.

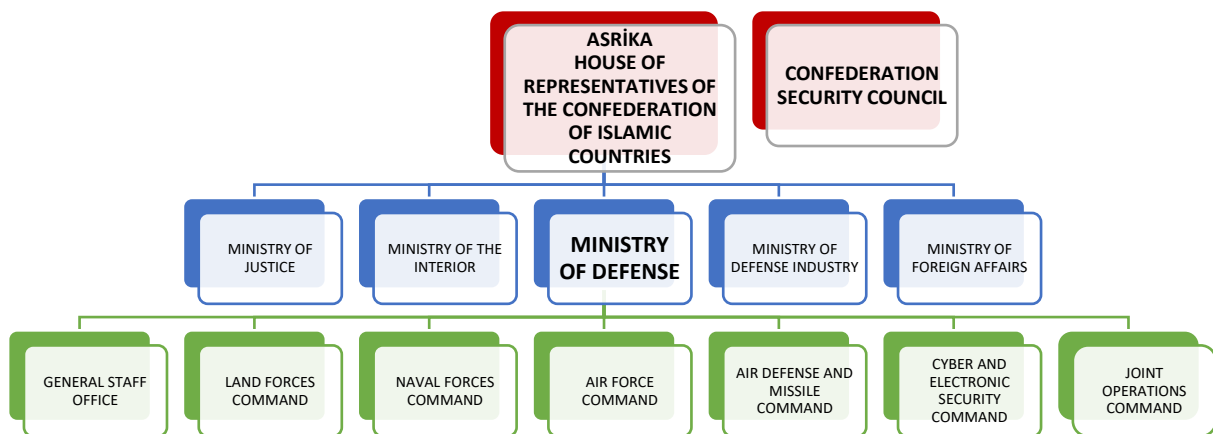


Figure 4 Model ASRICA Confederation Ministry of Defense Organization Chart

Placed under the Operational Control of the JOINT OPERATIONS COMMANDS and deployed in the Headquarters of the National States;

##### **a. AS A COMBATANT AND COMBAT SUPPORT ELEMENT;**

- 1) **36 Corps** Command in Land Forces,
  - 2) In the Navy: Three Navies, Three Fleets and Three Straits Commands,
  - 3) In the Air Force; Nine Strategic, Nine Tactical Air Force Commands and Nine Missile Commands,
  - 4) In the Air Defense Command; **Nine Radar Base Command and Nine Air and Missile Defense Command,**
  - 5) In Cyber and Electronic Security Command; **Nine Cyber Security and Nine Electronic Warfare Command,**
- is envisaged to be established.

**b. AS A COMBAT SERVICE SUPPORT ELEMENT;**

- 1) Nine Logistics Support Commands for each of the Land, Sea, Air, Air and Missile Defense and Cyber and Electronic Force Commands,
  - 2) Nine Training Commands for each of the Force Commands other than the Naval Forces, and four Training Commands for the Naval Forces,
  - 3) Nine Base and Port Commands in the Naval Forces Command, Nine Base and Airport Commands in the Air Force Command,
- is envisaged to be established.

**c. FORCES, INSTITUTIONS AND UNITS AFFILIATED TO THE JOINT OPERATIONS COMMAND IN FEDERAL REGIONS**

Combatant, Combat Support, Combat Service Support Commanders and their affiliates in each **Regional Federation Geography should be allocated to the operational control of Regional Islamic Federations Joint Operations** Commanders.

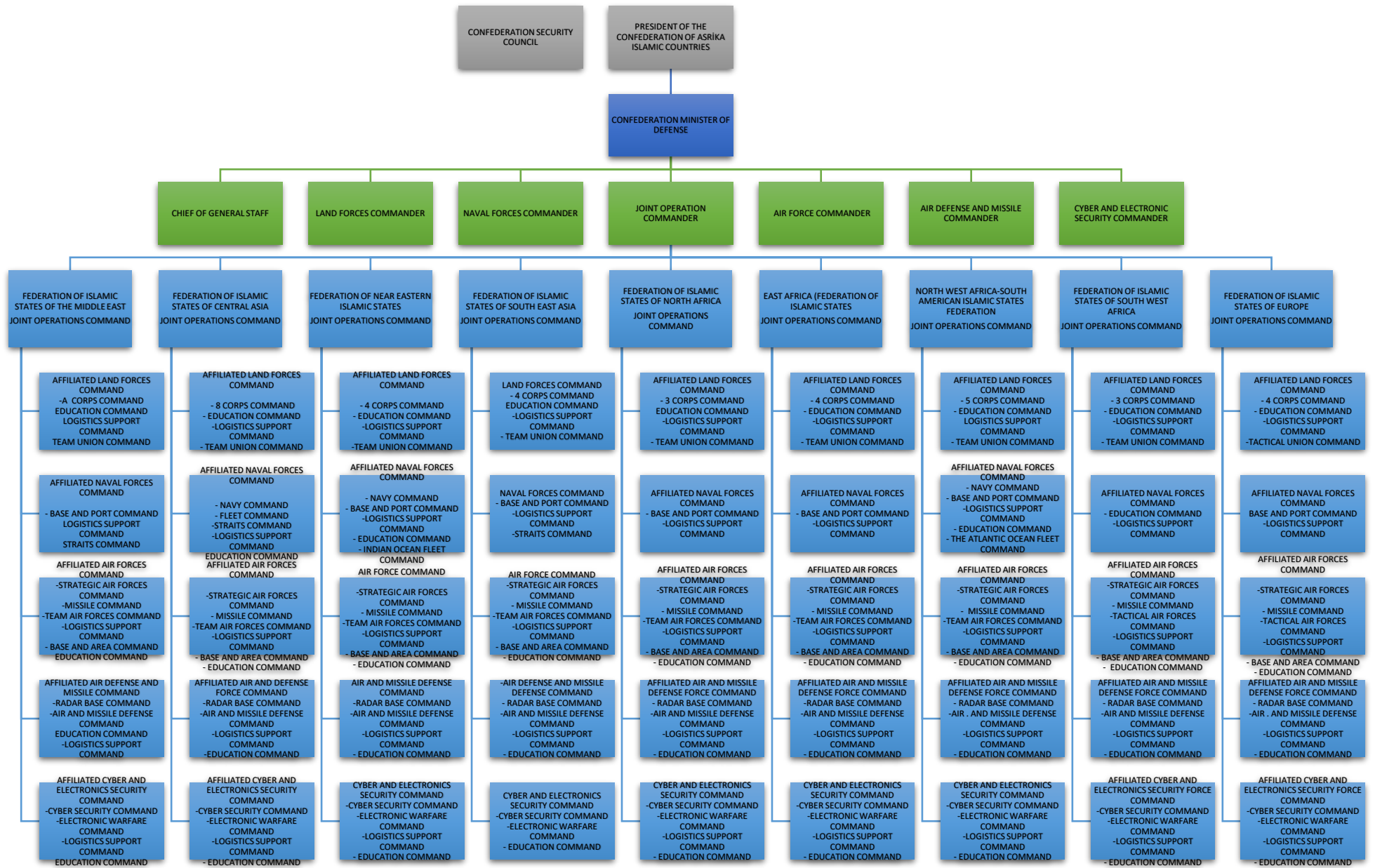


Figure 5 Model ASRIKA Confederation Ministry of Defense Federation Command Organization Chart



## 7.5. MODEL ASRICA CONFEDERATION – ISLAMIC UNION MODEL FOREIGN POLICY SYSTEM

### 7.5.1. FOREIGN POLICY PROCEDURES AND PRINCIPLES TO BE APPLIED IN THE PHASE UNTIL THE ESTABLISHMENT OF THE MODEL ASRICA CONFEDERATION

#### 7.5.1.1. MEASURES TO BE TAKEN IN THE ISLAMIC WORLD

- a) The Islamic World must realize that its own geography has become the field of an undeclared, secret, insidious, dirty and asymmetrical Third World War, where ethnic and sectarian elements within the unitary structures of the countries are being made to fight each other.
- b) In order to emerge victorious from this war, Islamic Countries;
  - i. should understand the vulnerability of the dominant powers and take initiatives to increase their sensitivity.
  - ii. They must ensure the justice of the right.
  - iii. They must guarantee the fundamental rights and freedoms of people,
  - iv. In order to increase the percentage of educated population, they should implement educational mobilization, increase the student quotas related to Muslim countries in higher education institutions for the fusion of young generations, and declare Ummah brotherhood.
  - v. They must ensure and maintain political and economic stability,
  - vi. For whatever reason, Muslim Nations should not rebel to overthrow the governments of their states.
  - vii. After ensuring justice, personal rights and freedoms, political and economic stability in their countries, they should initiate initiatives that will enable Islamic countries to gather under a will.
  - viii. In order to do this;
    - I. Non-Governmental Organizations, Opinion leaders, Higher education institutions should include the necessity of the Islamic Union and the procedures and principles of its establishment in the first items of their agenda.
    - II. The idea of Islamic Union should be embedded in Muslim nations.
    - III. Islamic scholars of different sects should find solutions to resolve conflicts and disputes through meetings and consultations.
    - IV. Country leaders and managers should have an examination and research on the procedures and principles of providing the Union and ensure that the first agenda item of the Islamic Countries meetings attended by representatives at all levels is the establishment of the Islamic Union.

#### 7.5.1.2. THE NEED FOR ISLAMIC UNION AND THE ASSAMESE VISION FOR UNITY

ASSAM Imagination in the Muslim solution of Civil War and turmoil in Islamic Countries:

Islamic Countries can get rid of the blood, tears, conflict and humiliation they are in by uniting.

Islamic Countries should not wait for the initiatives of Global Powers, the United Nations or international organizations other than Islamic Countries to unite their individual interests in Muslim countries where political, social, economic and military crises prevail and investigate the possibilities of joint action.

The Islamic World urgently needs a new organization that will work independently of the United Nations and certain power centers to help restore stability in Islamic Countries where internal security, external security, economic, social and political crises prevail.

There is a need for a different power from the Organization of Islamic Cooperation (OIC), which is formed by the States that undertake to comply with and contribute to the rules, have the characteristics of being an Islamic country, have operational opportunities and powers.

The turmoil prevailing in Kashmir, Afghanistan, East Turkestan, Syria, Iraq, Libya, Yemen, Somalia, Sudan and Palestine can be resolved by an organization to be formed by the Islamic World without involving anyone else. This organization can also be the core for the Islamic Union. Its name may be "**Crisis Management Confederation of Islamic Countries**".

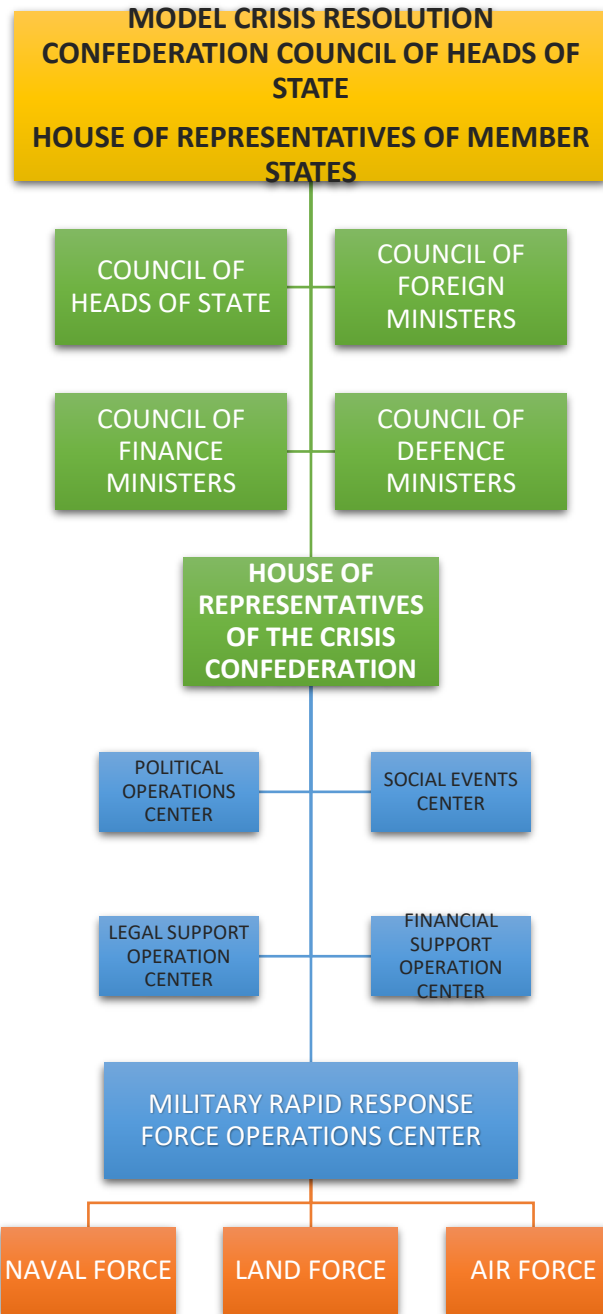


Figure 6 Model ASRICA Confederation Crisis Management Confederation Organization Chart

- a) It should consist of voluntary states that meet the criteria sought.
- b) States should be able to join and bind to this organization through agreements.
- c) There should be a parliament of representatives consisting of representatives of the member countries, working permanently, to ensure that decisions suitable for the purpose are taken and implemented.
- d) The House of Representatives should serve the purposes of its establishment with the will of the member states.
- e) When necessary, the parties in the crisis regions should be able to be represented in the parliament of representatives within the ratio if they apply.
- f) A crisis center affiliated with and accountable to the House of Representatives should be established.

- g) Within the crisis center, there should be operational centers that can manage military, political, legal, economic and social operations.
  - h) Member countries should provide the necessary financial support.
  - i) It should also have a military force that acts under the control of the crisis center and will be formed with the contributions of the member states.
  - j) The center of activity should be determined by the parliament of representatives, taking into account the proposals of crisis regions and member countries, and can be changed when necessary.
  - k) The Model Confederation's approach to the sides of crises should be constructive, peaceful, equitable, fully respectful of fundamental human rights and freedoms, unifying, protective of the social fabric, helpful and compelling when necessary.
- If the Islamic World could have such a Confederation, without the coups and revolutions of Egypt, Tunisia, Libya, Yemen, Syria, Sudan and Afghanistan, without Iraq being invaded by the United States and Afghanistan being turned into a terrorist base by Russia and the United States, these countries could have been turned into an area of internal conflict and turned into a fair administration without entering an environment of turmoil and being destroyed and ruined.

#### 7.5.1.3. ASSAMESE VISION IN THE PROCESS OF ISLAMIC COUNTRIES UNION

In order for Islamic Countries to gather under a will;

##### PRIMARILY

Establishment of the "Confederation of Islamic Countries" by the permanent establishment of the "House of **Representatives of Islamic Countries**", whose authority, facilities, power and structure are specified by the constitution, laws and regulations and where the common will of 57 **Islamic Countries** is represented.

##### THEN;

- a) While the Confederation of Islamic Countries continues to work to determine the procedures, principles and principles of justice, security (*internal and external*) and common foreign policy, which are the main duties of states,
- b) Ethnically and geographically, the "House of **Representatives of Regional Islamic Countries**", where the common wills of close Islamic States are represented, should be formed, (*Islamic Countries can be grouped in 9 different geographies. Middle East [12], Central Asia [8], Near East [4], South East Asia [4], North Africa [6], East Africa [6], North West Africa [7], South West Africa [6], Muslim States of Europe [4]*).

##### SUBSEQUENTLY;

The central administrations of the "**Confederations of Regional Islamic Countries**" should be strengthened and transformed into Federations and each of them should be connected to the "**Union of Islamic Countries**" as a Confederate Union.

##### ULTIMATELY;

- Central joint wills should be represented in the "House of **Representatives of the Confederation of Islamic Countries**" and the joint wills of regional formations should be represented in the "**Chambers of Representatives of the Federation of Regional Islamic Countries**";
- "**Executive bodies**" affiliated to the councils of representatives should be established;

- **"Rapid Intervention Forces" should be established to ensure the implementation of the decisions of the "Courts of Justice " and the Courts of Justice under the control of the central and regional executive bodies;**
- It should be organized to **ensure "public order and internal security";**
- In order to ensure external security, **"defense industry production cooperation"** should be established and **"defense alliance"** should be organized;
- It should be organized for the determination and implementation of **“common foreign policies”**;
- **“Economic cooperation”** should be established;
- An independent "judicial system" consisting of **"Human Rights"** and **"Criminal Courts"** should be established for the Confederation of Islamic Countries and Regional Islamic Countries Federations.

#### 7.5.1.4. INITIATIVES OF THE NATIONAL STATES THAT WILL CREATE THE NECESSARY CONDITIONS FOR THE ESTABLISHMENT OF THE MODEL ASRICA CONFEDERATION

At this stage, the following steps should be taken by the National States to create the necessary conditions for the establishment of the Model ASRICA Confederation;

- a) Economic and Commercial cooperation between Islamic Countries should be increased and trade should be liberalized, financial cooperation between free market institutions, inter-sectoral cooperation and direct investments should be gradually increased and efforts to reduce poverty should be increased.
- b) With the awareness that one of the prerequisites for being independent and sovereign is independence in the defense industry, joint defense industry production opportunities should be investigated by cooperating with Islamic States.
- c) Islamic Countries should make defense cooperation agreements with neighboring Islamic countries, aware that the real threat comes from global powers rather than each other.
- d) Islamic countries should fight for the separation of foreign military bases, private military companies, and their military assets from their countries.
- e) Islamic Countries should ally in the principles and principles of foreign policy that they will follow to be implemented in Islamic Countries that are experiencing crisis due to internal and external factors.
- f) In order to prevent discrimination against the Muslim minority in non-Muslim countries and violation of their fundamental rights and freedoms, every Islamic country should establish cultural centers to promote Islam to the extent possible and engage in activities. It should be believed that the citizens to be sent to foreign countries should be selected meticulously with the awareness that the most appropriate communiqué will be with an exemplary lifestyle.

#### 7.5.2. FOREIGN POLICY PROCEDURES AND PRINCIPLES TO BE APPLIED IN THE NEXT PHASE AFTER THE ESTABLISHMENT OF THE MODEL CONFEDERATION OF ASIA

- 1) **Model ASRICA Confederation Organization of the Ministry of Foreign Affairs should consist of the following units:**

Model Confederation Ministry of Foreign Affairs;

- Central Organization
- Directorate of Overseas Representations
- Directorate of Domestic Representations
- Directorate of Administrative Affairs
- Presidency of strategy
- Higher Islamic Council

a) In order for the model Confederation Ministry of Foreign Affairs to be able to centrally monitor and coordinate the activities of its diplomatic missions in states on the continents and states with global power, it should establish authorized units in the CENTRAL organization for each continent and global power.

I. Units of the Central Organization of the Ministry related to GEOGRAPHICAL CONTINENTS is deemed appropriate to organize as the following;

- i. General Directorate OF multiple political, economic and socio-cultural Affairs OF ASIAN COUNTRIES
- ii. General Directorate OF multiple political and economic and socio-cultural Affairs OF AFRICAN COUNTRIES
- iii. General Directorate OF multiple political and economic Affairs OF EUROPEAN COUNTRIES
- iv. General Directorate OF multiple political and economic Affairs OF NORTH AMERICAN COUNTRIES
- v. General Directorate OF multiple political and economic Affairs OF SOUTH AMERICAN COUNTRIES
- vi. General Directorate OF multiple political and economic Affairs OF AUSTRALIAN COUNTRIES

II. Units of the Central Organization of the Ministry related to Global Powers;

- i. Directorate General OF bilateral political, economic and socio-cultural relations OF the United States
- ii. General Directorate OF bilateral political, economic and socio-cultural relations OF Germany
- iii. General Directorate OF bilateral political, economic and socio-cultural relations OF China
- iv. General Directorate OF bilateral political, economic and socio-cultural relations OF France
- v. UK Directorate-General for bilateral political, economic and socio-cultural relations
- vi. General Directorate OF bilateral political, economic and socio-cultural relations OF Russia
- vii. General Directorate OF bilateral political, economic and socio-cultural relations OF India,

b) Model Confederation Ministry of Foreign Affairs Representations ABROAD;

On the basis of reciprocity, the Model ASRICA Confederation should be represented by Embassies, Chief Consulates, Permanent Representations and Cultural Centers in the World Countries other than the countries that are members of the Confederation.

- c) Model Confederation Ministry of Foreign Affairs DOMESTIC Representations; Ministry Representatives should be established in the Regional Federation Centers of the Ministry of Foreign Affairs and in the centers of the National States on the outer borders of the Model Confederation in a way that ensures communication and coordination with the representatives of the foreign countries to be assigned to the Model Confederation before the Regional Federations and National States.

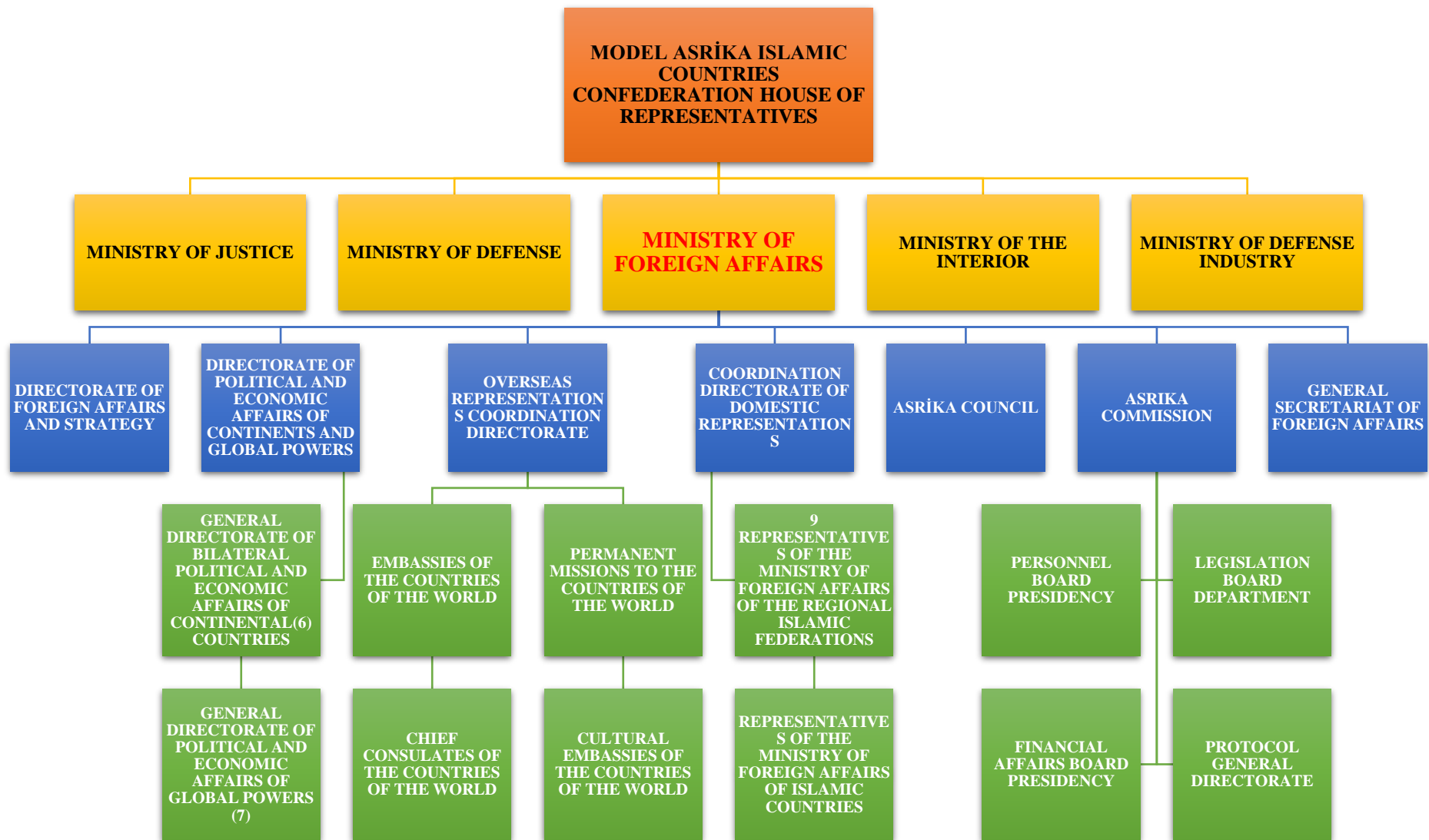


Figure 7 Model ASRIKA Confederation Ministry of Foreign Affairs Organization Chart



The Model Confederation Ministry of Foreign Affairs should establish appropriate representation units in the following centers at a minimum, taking into account the diplomatic missions of foreign States.

- I.** Representative of the Ministry of Foreign Affairs of the Federation of Middle Eastern Regional Islamic States
  - II.** Representative of the Ministry of Foreign Affairs of the Federation of Central Asian Regional Islamic States
  - III.** Representative of the Ministry of Foreign Affairs of the Federation of Near Eastern Regional Islamic States
  - IV.** Representative of the Ministry of Foreign Affairs of the Federation of Regional Islamic States of South East Asia
  - V.** Representative of the Ministry of Foreign Affairs of the Federation of Regional Islamic States of North Africa
  - VI.** Representative of the Ministry of Foreign Affairs of the Federation of East African Regional Islamic States
  - VII.** Representative of the Ministry of Foreign Affairs of the Federation of North West African Regional Islamic States
  - VIII.** Representative of the Ministry of Foreign Affairs of the Federation of Regional Islamic States of South West Africa
  - IX.** Representative of the Ministry of Foreign Affairs of the Federation of Regional Islamic States of Europe
  - X.** The Ministry of Foreign Affairs should also have Representatives for the 57 National Islamic States.
- 2) Islamic countries have been subjected to falsification in their religious beliefs and lives as a result of the asymmetric and proxy wars they were exposed to after the First World War. In order to eliminate this negativity, a Higher Council of Science should be established within the body of the Ministry of Foreign Affairs of the Model ASRICA Confederation in order to explain and place the understanding of Islam, this council should be within the body of the Model ASRICA Scientific Studies Assembly and should consist of an equal number of representatives to be sent from the Federations. The organization and structure of the Assembly should be determined by the Model ASRICA House of Representatives.
- 3) Principles and principles related to Fundamental Rights and Freedoms;  
In the sight of Allah, all people are equal and they are equal in terms of basic human rights no matter in which geography they are born. Therefore, the Islamic Religion has struggled against all kinds of discrimination since its emergence. Although people deserve to be treated with equality regardless of language, religion, race and gender in terms of fundamental rights and freedoms, the implementation of these rights and freedoms with justice should be accepted as the basic principle in all Model ASRICA Confederation Geography.

- 4) Holy Prophet (pbuh) During the farewell pilgrimage, he gave very important messages about fundamental rights and freedoms with the principles he put forward for all humanity;
- *“You are all children of Adam. The Arab has no superiority over the non-Arab. Superiority is only with TAQWA.*
  - *Your lives, property and honor are sacred and protected from all kinds of rape. Whoever has a relic with him should definitely give it to its owner.*
  - *I recommend that you take care of women's rights and fear Allah in this regard. You have rights over women, and they have rights over you.*
  - *All kinds of interest have been abolished; it is under my feet. However, it is necessary to give the original debt. You have not been persecuted, nor have you been persecuted.*
  - *The feuds motivated during the period of ignorance were completely abolished.*
  - *Violation of any right belonging to your religious brother is not lawful to anyone else.*
  - *Do not persecute yourself. Your soul has a right over you. "*

A formation similar to the Hulful Fudul (Oath of the Virtuous) established during the Mecca period should be established not only for the Union of Confederate States of Model Asia but also for the protection of the rights of the oppressed all over the world.

- 5) Model ASRICA Union of Confederate States should establish relations with neighboring countries and nations with an approach required by Islamic provisions, establish diplomatic relations that ensure peace and tranquility with close and distant neighboring states, and establish contacts in these relations regardless of religion, language, race, gender and lineage.
- 6) Relations with Global States and World Giants;  
The latest technological developments in the world and the increase in the communication network and the fact that our world has become a small global village have brought the globalization process to the forefront and have transformed the network of relations between states and nations in the world into a network of intertwined relations. In such a case, states with global influence came to the fore with their powers and started to affect developing countries. For this purpose, the "Model ASRICA International Relations Coordination Presidency" within the Ministry of Foreign Affairs of the Union of States of the Model ASRICA Confederation is responsible for coordinating the diplomatic process with the global powers.
- 7) The agreements for the establishment and use of Land, Sea and Air Bases belonging to foreign States in the Geography of the Model ASRICA Confederation should be terminated.
- 8) It should be ensured that the military forces of the countries are deployed within their own borders in peacetime and that they are used in the defense of land, sea and air areas with international agreements.
- 9) Utilization of Inland Seas;

The road map to be followed for the provision of the rights and benefits of the maritime areas within the boundaries of the Model ASRICA Confederation and the straits and canals connecting these seas to the open seas should be presented to the benefit of equity according to the "Model ASRICA Maritime Law Agreement" to be prepared by the "Model ASRICA Council" to be established under the Ministry of Foreign Affairs.

**10) Benefiting from Oceans;**

The maritime jurisdictions of the Oceans (*Terrestrial Waters, Continental Shelf and Exclusive Economic Zone*), which are the border of the Model ASRICA Confederation, are taken as a precedent and the rights and benefits of use are determined according to the "Model ASRICA Maritime Law Agreement" to be prepared by the "Model ASRICA Council".

**11) It should be ensured that the Model ASRICA Confederation is made in accordance with the provisions of the "Model ASRICA Air and Space Law" to be prepared by the Model ASRICA Council regarding the height of the airspace and the control of foreign satellites passing over it with the fir line.**

**12) With the sub-committees to be established within the Ministry of Foreign Affairs of the Model ASRICA Confederation, economic and commercial relations should be strengthened on a regional and global scale by activating the dynamics of our historical and cultural partnerships in international relations.**

**13) Regional and global approaches required by Islam and Islamic values should be preferred instead of Western-compatible-defensive strategic culture. In this context, a "pro-western" foreign policy based on EU-US foreign policy and the understanding of modernization that ignores 19th-century humanity should be abandoned as the "level of contemporary civilizations", and a new multi-dimensional/multi-track foreign policy approach should be adopted for the Caucasus, Central Asia and Africa regions, especially for the Middle East, which is turned away with security concerns and regime protection concerns.**

**14) A foreign policy that does not see the Islamic Countries in the geography of civilization and its neighbors as a threat should be developed and a foreign policy that establishes peace and justice not only for the Muslims of the world but also for all humanity should be adopted.**

**15) Since the technological developments that emerged with the globalization process accelerate the interaction between nations and states, global economic crises and regional conflicts constitute the agenda of international politics. For this reason, Islamic countries should develop their cooperation in the political and diplomatic fields and establish an inclusive relationship without marginalization.**

**16) The "pro-active" foreign policy approach put forward by Türkiye, which adopts an active foreign policy on the way to becoming a regional and global power, should be adopted by the Model ASRICA Confederation; it should develop political relations in accordance with our own cultural and moral understanding due to the unity from the**

historical process by developing economic and cultural relations in the civilizational geography, especially in neighboring countries, in the regional and global arena.

- 17)** The understanding that the Middle East is seen as a possible conflict and problem area should be abandoned, the problems in our region should be evaluated in line with the existence of "historical and cultural ties" and initiative should be taken. With this understanding, a diplomacy that brings together and reconciles the parties of other problematic regions such as Israel-Lebanon, Israel-Syria, Iraq, Afghanistan, East Turkestan, Kashmir, Myanmar and all problematic regions of Africa, especially the Palestinian problem, should be developed.

## 7.6. MODEL ASRICA CONFEDERATION – ISLAMIC UNION MODEL INTERNAL SECURITY SYSTEM

The **Ministry of Interior**, which is responsible for ensuring public order and internal security, constitutes **one of the five areas of activity** to be carried out centrally according to the **ASSAM** vision.

The Minister of the Interior is responsible to the President of the Confederation for ensuring public order and security in the entire Confederation geography from the center of the Confederation to the villages and neighborhoods of the national states, and for securing the land borders and the open and inland seacoasts.

The Minister of Interior is authorized and responsible to the President of the Confederation for the training, equipment, appointment, dismissal, personal rights of the Confederation's security and public order forces, their referral and administration; the assignment and management of regional federations and their civilian administrative superiors within the national states.

The **Minister of Interior** is a natural member of the "**Confederal Republic Security Council**" and the "**General Assembly of Heads of States**".

The **Ministry of Interior** is envisaged to consist of the **General Directorate of Security, Gendarmerie General Command, Border and Coast Guard General Command under the "General Directorate of Joint Public Security and Security of the Confederation"** at the center of the Confederation and the "**Joint Public Security and Security General Commands**" located at the center of each of the Nine Regional Federal Republics and the "**Joint Public Security and Security Presidencies**" at the centers of the national states.

| MODEL KONFEDERAL ORGANIZATION OF THE MINISTRY OF INTERIOR OF THE REPUBLIC   |   |
|---|---|
| SERVICE AND PLANNING HEADQUARTERS AND INSTITUTIONS  | PUBLIC ORDER AND SECURITY FORCES AND INSTITUTIONS   |
| <ol style="list-style-type: none"> <li>1. Directorate General of Migration Management,</li> <li>2. General Directorate of Population and Citizenship Affairs,</li> <li>3. General Directorate of Legal Services,</li> <li>4. General Directorate of Highways,</li> <li>5. General Directorate of Provincial Administration,</li> <li>6. Disaster and Emergency Management Directorate,</li> </ol> | <ol style="list-style-type: none"> <li>1. General Directorate of Joint Public Security and Security of the Confederate Republic;               <ol style="list-style-type: none"> <li>A. General Directorate of Security,</li> <li>B Gendarmerie General Command,</li> <li>C. Border and Coast Guard General Command,</li> <li>D. General Directorate of Educational Services,                   <ol style="list-style-type: none"> <li>1) Police Academy and Training Center</li> <li>2) Gendarmerie Academy and Training Center</li> <li>3) Border and Coast Guard Academy and Training Center</li> </ol> </li> </ol> </li> </ol> |

|  |   |
|--|---|
| <ol style="list-style-type: none"> <li>7. General Directorate of Press, Civil Society and Public Relations,</li> <li>8. General Directorate of Information Technologies,</li> <li>9. General Directorate of Research and Strategy Development,</li> <li>10. General Directorate of Inspection and Evaluation,</li> <li>11. General Directorate of Personnel,</li> <li>12. General Directorate of Intelligence, Evaluation, Analysis and Coordination,</li> <li>13. General Directorate of Smuggling, Intelligence, Operations and Information Gathering,</li> <li>14. General Directorate of Security and Emergency,</li> <li>15. General Directorate of Equipment and Support Services,</li> <li>16. Ministry Private Secretary's Office,</li> <li>17. Secretary General</li> </ol> | <ol style="list-style-type: none"> <li>2. 9 Regional Federal Republic Joint Security and Security General Command; <ol style="list-style-type: none"> <li>A. 9 General Directorate of Security of the Regional Federal Republic,</li> <li>B. 9 Regional Republic Border and Coast Guard General Command,</li> <li>C. 9 Regional Republic Gendarmerie General Command,</li> <li>D. 9 General Directorate of Regional Federal Republic of Education Services, <ol style="list-style-type: none"> <li>1) 9 Police Academy and Training Center</li> <li>2) 9 Gendarmerie Academy and Training Center</li> <li>3) 9 Border and Coast Guard Academy and Training Center</li> </ol> </li> </ol> </li> <li>3. 57 National State Joint Public Order and Security Presidencies; <ol style="list-style-type: none"> <li>A. 57 General Directorate of Security of the National State,</li> <li>B. 57 National State Border and Coast Guard General Command,</li> <li>C. 57 National State Joint Public Prosecutor General Command of the National State,</li> <li>D. 57 General Directorate of Education Services of the National State, <ol style="list-style-type: none"> <li>1) Police Academy and Training Center of 57 National States</li> <li>2) Gendarmerie Academy and Training Center of 57 National States</li> <li>3) Border and Coast Guard Academy and Training Center of 57 National States</li> </ol> </li> <li>E. 57 Provincial Local Administrative Authorities of the National State (Governorates) <ol style="list-style-type: none"> <li>1) 57 District Administrative Authorities of the National State (District Governorships)</li> </ol> </li> </ol> </li> </ol> |
|--|---|

is envisaged that it may be in the form of the above.

## 7.7. MODEL ASRICA CONFEDERATION – ISLAMIC UNION MODEL JUSTICE SYSTEM

First of all, we should state that we adopt the following as the most basic principle, that the truth of Islam is a value above all politics. All politics can only be a servant of Islam. For this reason, it is not the duty of any politics to impart Islam to itself. The idea of Islamic Union should only be developed in the context of this upper value.

The main source and source of the hierarchy of norms of the Islamic Union is the Qur'an-ı Hakîm, Sunneti Seniyye, İcma-i Ummah, and Kıyas-ı Fıkahî. The basic value of these main references of Islam is human. Islam guarantees to protect the human being, human life, religion, mind, property and generation.

The value of "right" is one of the basic issues of the Islamic Union justice system. The Prophet put special emphasis on human rights in his Farewell Sermon. Therefore, the Islamic Union justice system will consist of institutions and norms that guarantee the protection of human rights.

Both the institutional structuring of the Islamic Union justice system and the determination of its norms will be realized retroactively from the goal of human value and fundamental rights and freedoms related to the protection of this value.

Within the framework of these main principles, it is deemed appropriate to establish the Model ASRICA Confederation Islamic Union Justice System as follows.

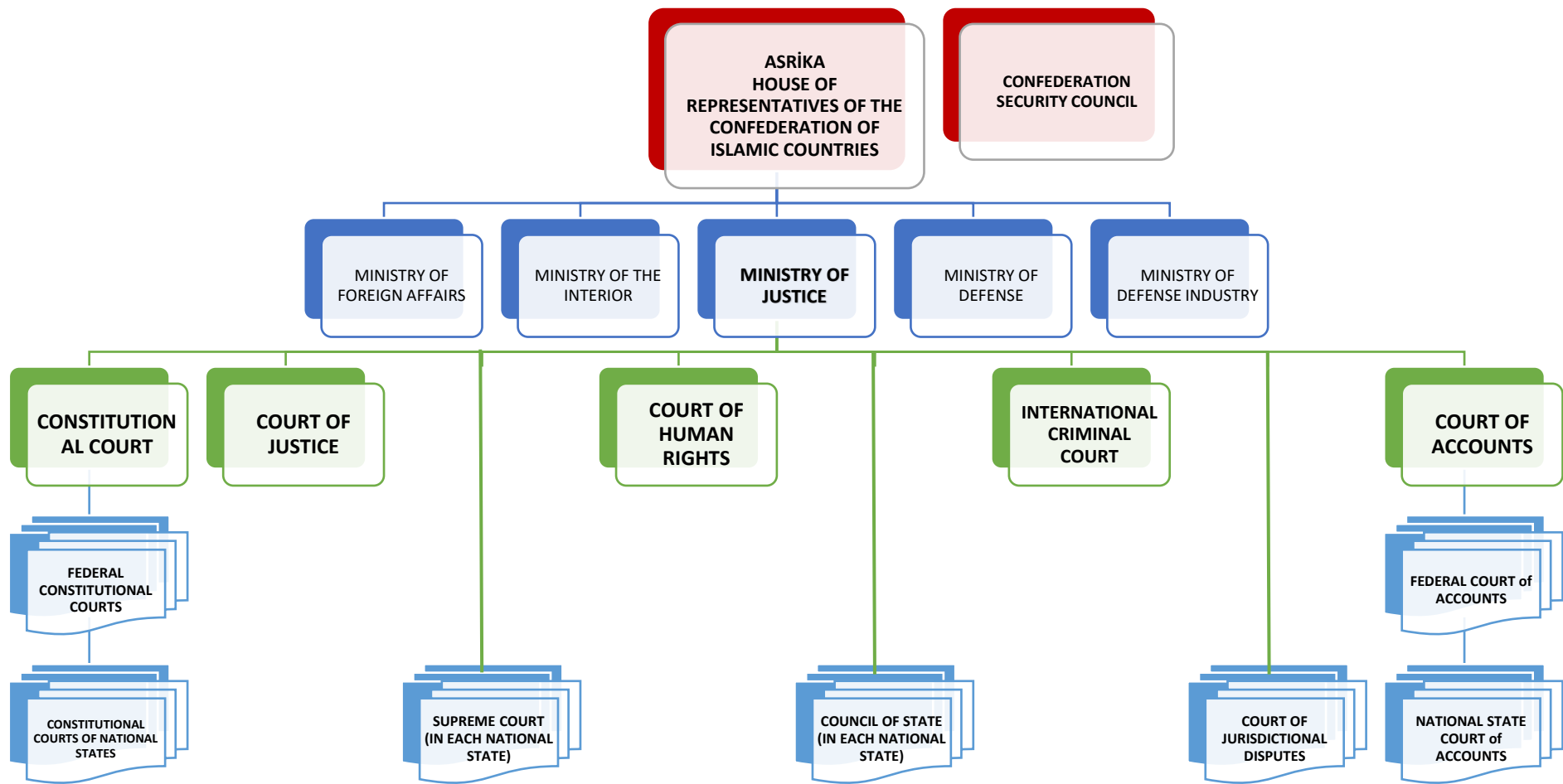


Figure 8 Model ASRICA Confederation Ministry of Justice Organization Chart



## 7.7.1. MAIN BODIES OF THE JUSTICE SYSTEM

### 7.7.1.1. CONSTITUTIONAL COURT

#### 7.7.1.1.1. ESTABLISHMENT:

A Constitutional Court is established by the Confederal Republic in each of the Confederal Republic, Regional Federal Republics and National States.

Constitutional Courts are established from fifteen members.

The Confederal and Regional Federal Republics and the National State Assemblies elect two members from among their own presidents and members of the General Assembly of the Court of Accounts at all levels, from among three candidates to be nominated for each vacancy, and one member from among three candidates to be nominated by bar presidents at all levels among freelance lawyers. In these elections to be held in the assemblies, for each vacant membership, a two-thirds majority of the total number of members is required in the first vote and an absolute majority of the total number of members in the second vote. If an absolute majority is not achieved in the second ballot, a third ballot is held for the two candidates who received the most votes in this ballot, and the candidate with the most votes in the third ballot is elected as a member.

Confederal and Regional Federal Republics and Presidents of National States elect three members out of a total of twelve members by the Supreme Court and two members by the general assemblies of the Council of State from among their presidents and three candidates from among their members for each vacant place, elects three members, at least two of whom are lawyers, from among three candidates nominated by the Council of Higher Education among faculty members working in the branches of law, economics and political sciences of higher education institutions that are not members of the Council of Higher Education, elects four members from among senior managers, freelance lawyers, first-class judges and prosecutors, and Constitutional Court rapporteurs who have served as rapporteurs for at least five years.

In the elections to be held to nominate candidates for membership of the Constitutional Courts from the general assemblies of the Supreme Court of Appeals, the Council of State and the Court of Accounts at all levels, and the Councils of Higher Education, the three persons who receive the most votes for each vacant membership in each Constitutional Court are deemed to be nominated. The three people who received the most votes in the election to be held for the three candidates to be nominated by the bar presidents among the freelance lawyers are deemed to have been nominated.

In order to be elected as a member of the Constitutional Courts, provided that the age of forty-five is completed; faculty members of higher education institutions must have earned the title of professor or associate professor, lawyers must have practiced law for at least twenty years, senior managers must have received higher education and have actually worked in public service for at least twenty years, and first-class judges and prosecutors must have worked for at least twenty years, including candidacy.

One President and two Deputy Presidents are elected among the members of the Constitutional Courts by secret ballot and by the absolute majority of the total number of members for a period of four years. Those whose term has expired can be re-elected.

Members of the Constitutional Courts cannot take any official or private duties other than their primary duties.

#### 7.7.1.1.2. TERM OF OFFICE OF MEMBERS AND TERMINATION OF MEMBERSHIP

Members of the Constitutional Courts are elected for twelve years. A person cannot be elected to the Constitutional Court twice. Members of the Constitutional Court retire when they turn sixty-five. Members whose term of office expires before the mandatory retirement age are required to work in another position and their personal affairs are regulated by law.

Membership of the Constitutional Court is automatically terminated if a member is convicted of a crime that requires dismissal from the judiciary profession; if it is definitely understood that he/she cannot fulfill his/her duty in terms of health, it is terminated by the decision of the absolute majority of the total number of members of the Constitutional Court.

#### 7.7.1.1.3. DUTIES AND POWERS

The Constitutional Courts **at all levels** supervise the conformity of the laws, the decrees of the Confederal and Regional Federal Republics and National Heads of State and the Rules of Procedure of the Confederal, Regional Federal and National State Assemblies with the Constitution in terms of form and substance and decide on individual applications. It examines and supervises constitutional amendments only in terms of form. However, a lawsuit cannot be filed in the Constitutional Court on the allegation that the decrees of the Confederal, Regional Federal and National Heads of State issued in emergency and war situations are unconstitutional in terms of form and substance.

Supervision of laws in terms of form is limited to whether the final vote was made with the stipulated majority and, in the case of Constitutional amendments, whether the proposal and voting majority and the condition that it cannot be discussed immediately are complied with. Inspection in terms of form may be requested by the Confederal and Regional Federal Presidents and the Heads of National States or by one-fifth of the members of the Assemblies of the Confederal, Regional Federal and National States. After ten days have passed from the date of publication of the law, a lawsuit for annulment based on deformity cannot be filed, nor can it be put forward through defense.

Everyone may apply to the Constitutional Courts of the National State, the Regional Federal Republic and the Confederal Republic, respectively, claiming that any of his fundamental rights and freedoms guaranteed in the Constitution has been violated by public power. In order to apply, ordinary legal remedies must be exhausted and the order of application to the Constitutional Court must be observed.

In the individual application, no examination can be made on the issues to be taken into consideration in the legal way.

The procedures and principles regarding the individual application are regulated by the laws of the Confederal Republic.

The Constitutional Courts judge the Presidents of the Confederal Republic, Regional Federal Heads of State, National Heads of State; Presidents of Confederal, Regional Federal Republics and National State Assemblies, Presidents and Members of the Council of Religious Affairs, Deputy Presidents of the Confederal and Regional Federal Republics and Deputy National Heads of State, Ministers, Chief of General Staff and Force Commanders, Constitutional Courts, Court of Justice and Human Rights Courts, Court of Cassation, President and members of the Council of State, Chief Prosecutors, Deputy Chief Public Prosecutor of the Republic, Council of Judges and Prosecutors and Presidents and members of the Court of Accounts in the capacity of Supreme Court for crimes related to their duties.

In the Supreme Court, the Chief Public Prosecutor or the Deputy Chief Public Prosecutor performs the duty of prosecutor.

An application for re-examination may be made against the decisions of the Supreme Court. The decisions taken by the General Assembly as a result of the re-examination are final.

The Confederal Republic Constitutional Court, as the Supreme Court, is the highest judicial body of the Confederal Republic.

The Constitutional Courts also perform other duties assigned by the Constitutions.

#### 7.7.1.1.4. WORKING AND TRIAL PROCEDURE

The Constitutional Courts operate in two sections and the General Assembly. Departments convene with the participation of four members under the chairmanship of the vice chairman. The General Assembly convenes with at least ten members under the chairmanship of the President of the Court or the deputy President to be determined by the President. The Departments and the General Assembly take their decisions by absolute majority. Commissions may be established for the admissibility review of individual applications.

Lawsuits and applications related to political parties, annulment and objection cases and trials to be carried out in the capacity of the Supreme Court are examined by the General Assembly, and individual applications are decided by the departments.

Two-thirds of the votes of the members attending the meeting are required in order to decide on the cancellation of the constitutional amendment, the closure of political parties or the deprivation of State aid.

Annulment cases based on deformity are first examined and decided by the Constitutional Courts.

The establishment of the Constitutional Courts, the procedures of the General Assembly and the departments, the disciplinary affairs of the President, the deputy presidents and the members are regulated by the laws of the Confederal, Regional Federal and National States; the working principles of the Court, the formation of the departments and commissions and the division of labor are regulated by the Rules of Procedure to be made by them.

The Constitutional Courts examine the works other than the cases they handle in the capacity of the Supreme Court on the file. However, it may be decided to hold a hearing in individual applications. Courts may also call on those concerned and those with knowledge of the subject to listen to their oral explanations when they deem necessary, and in cases regarding the closure

of political parties, they listen to the defense of the chairmanship of the political party requested to be closed after the Chief Public Prosecutor of the relevant Court of Cassation or a deputy to be appointed.

#### 7.7.1.1.5. ACTION FOR ANNULMENT

The right to sue directly before the Constitutional Court for the unconstitutionality of the laws, Confederal and Regional Federal Republic and National State Presidential decrees, Confederal, Regional Federal and National State Council Bylaws or certain articles and provisions thereof belongs to the Confederal and Regional Federal Republic and National State Heads, two political party groups with the highest number of members in the Confederal, Regional Federal and National State Councils and members with at least one-fifth of the total number of members.

#### 7.7.1.1.6. DURATION OF FILING A LAWSUIT

The right to file a lawsuit for annulment directly with the Confederal, Regional Federal Republics and National State Constitutional Courts shall expire sixty days after the publication of the laws enacted by the Confederal, Regional Federal and National State Assemblies, Confederal, Regional Federal and National Heads of State decrees or Bylaws in the Official Gazette.

#### 7.7.1.1.7. CLAIMING UNCONSTITUTIONALITY IN OTHER COURTS

If the court hearing a case deems a law of the competent Assembly to be applied in the case or the provisions of the authorized Confederal, Regional Federal or National State Presidential decree to be unconstitutional, or if it considers that the allegation of inconsistency put forward by one of the parties is serious, it will suspend the case until the decision of the relevant Constitutional Court on this issue.

If the court does not consider the allegation of unconstitutionality seriously, this claim is decided by the appeal authority together with the main judgment.

The competent Constitutional Court renders and announces its decision within five months starting from the arrival of the work. If no decision is made within this period, the court shall conclude the case in accordance with the provisions of the applicable law. However, if the decision of the competent Constitutional Court comes until the decision on the merits is finalized, the court must comply with it.

Unless ten years elapse after the publication of the rejection decision of the competent Constitutional Court on the merits of the work in the Official Gazette, an application cannot be made again with the claim that the same legal provision is unconstitutional.

#### 7.7.1.1.8. DECISIONS OF CONSTITUTIONAL COURTS

The decisions of the Constitutional Courts are final. Cancellation decisions cannot be disclosed without writing the reason.

When the competent Constitutional Courts annul a law or all or any provision of the Confederal, Regional Federal and National Presidential decrees, they cannot establish a judgment that will lead to a new application by acting as a legislator.

The relevant Law, Confederal, Regional Federal and National Presidential decrees or the Rules of Procedure of the Confederal, Regional Federal and National State Assemblies or their provisions shall be repealed on the date of publication of the cancellation decisions in the Official Gazette. If necessary, the competent Constitutional Court may also decide on the date on which the annulment provision will enter into force. This date cannot exceed one year starting from the day the decision is published in the Official Gazette.

In cases where the entry into force of the annulment decision is postponed, the Confederal, Regional Federal and National State Council primarily discusses and decides on the law proposal that will fill the legal gap created by the annulment decision.

Cancellation decisions do not go backwards.

The decisions of the competent Constitutional Court shall be published immediately in the Official Gazette and shall bind the relevant legislative, executive and judicial bodies, administrative authorities, natural and legal persons.

#### 7.7.1.2. ISLAMIC UNION COURT OF JUSTICE

"Islamic Union Court of Justice" is established within the Confederal Republic.

The Court of Justice performs the functions of ensuring respect for law in the interpretation and application of Islamic Union law, regulating the relations between the legal order of the Confederal Republic and the legal orders of the National States, legal supervision, interpretation, dispute resolution, creating law and filling gaps.

The Court of Justice is the final reviewing authority of the Supreme Courts within the National States. It also treats certain cases indicated by the law as courts of first and last instance.

The members of the Court of Justice are elected by the Confederal Council of Judges and Prosecutors of the Republic by an absolute majority of the total number of members and by secret ballot among the judicial judges and Confederal Public Prosecutors of the first class and those from this profession.

The First President of the Court of Justice, the first deputy presidents and the heads of departments are elected by the General Assembly of the Court of Justice from among their members by an absolute majority of the total number of members and by secret ballot for four years; those whose term has expired can be re-elected.

The Chief Prosecutor of the Court of Justice and the Deputy Chief Public Prosecutor are elected for a period of four years by the President of the Confederal Republic from among five candidates each to be determined by secret ballot from among the members of the General Assembly of the Court of Justice. Those whose term has expired can be re-elected.

The establishment and functioning of the Court of Justice, the qualifications and election procedures of the President, deputy presidents, heads and members of departments and the Deputy Chief Prosecutor and Deputy Chief Prosecutor shall be regulated by the law issued by the Confederal Assembly of the Republic in accordance with the principles of the independence of the courts and the guarantee of judiciary.

#### 7.7.1.3. ISLAMIC UNION HUMAN RIGHTS COURT

"Islamic Union Human Rights Court" is established within the Confederal Republic.

The Court of Human Rights is the final review authority of the judgments rendered by the Councils of State of National States. It also deals with certain administrative cases indicated by the Confederal Republican Laws as a court of first and last instance.

The Court of Human Rights is responsible for hearing cases decided in the Councils of State, expressing its opinion within two months on concessions, conditionality and contracts related to public services, resolving administrative disputes and performing other works specified by law.

Three-quarters of the members of the Court of Human Rights are elected by the President of the Confederal Republic from among first-class administrative justice judges and prosecutors and those deemed to be in this profession, and one-fourth of the Council of Judges and Prosecutors is elected by the President of the Confederal Republic from among the officials whose qualifications are specified in the law.

The President of the Human Rights Court, the Chief Public Prosecutor, the deputy presidents and the heads of departments are elected by the General Assembly of the Human Rights Court from among their members for four years by an absolute majority of the total number of members and by secret ballot. Those whose term has expired can be re-elected.

The establishment, functioning, qualifications and election procedures of the President, Chief Prosecutor, deputy presidents, heads of departments and members of the Human Rights Court are regulated by the laws of the Confederal Republic according to the principles of administrative jurisdiction, independence of the courts and judicial guarantee.

#### 7.7.1.4. SUPREME COURT

Supreme Courts are established by the **Confederal** Republic for each national state as the last examination authority of the courts of justice in the National States.

The Court of Cassation is the final examination authority in the National States of the decisions and judgments rendered by the courts of justice within its jurisdiction and which the law does not leave to another judicial authority. It also treats certain cases indicated by the law as courts of first and last instance.

The members of the Court of Cassation are elected by the Confederal Council of Judges and Prosecutors of the Republic by an absolute majority of the total number of members and by secret ballot among the judicial judges and Confederal Public Prosecutors of the first class and those from this profession.

The First President of the Court of Cassation, the first deputy presidents and the heads of departments are elected by the General Assembly of the Court of Cassation for four years with an absolute majority of the total number of members and by secret ballot; those whose term has expired can be re-elected.

The Confederal Chief Public Prosecutor and the Deputy Confederal Chief Public Prosecutor of the Court of Cassation are elected by the President of the Confederal Republic for four years

from among five candidates to be determined by the General Assembly of the Court of Cassation from among its members by secret ballot. Those whose term has expired can be re-elected.

The establishment and functioning of the Supreme Courts, the qualifications and election procedures of the President, deputy presidents, department heads and members and the deputy Confederal Chief Public Prosecutor and Confederal Chief Public Prosecutor shall be regulated by the law enacted by the Confederal Assembly of the Republic in accordance with the principles of the independence of the courts and the guarantee of judiciary.

#### 7.7.1.5. COUNCIL OF STATE

A Council of State for each national state shall be established by the Confederal Republic as the last examination authority of the administrative courts in the National States

The Council of State is the final examination authority of the decisions and judgments given by the administrative courts in its jurisdiction and which the law does not leave to another administrative judicial authority. It also deals with certain cases shown by the Confederal Republican Laws as a court of first and last instance.

The Council of State is responsible for hearing cases, expressing its opinion within two months on concession clauses and contracts relating to public services, resolving administrative disputes and doing other work prescribed by law.

Three-quarters of the members of the Council of State are elected by the President of the Confederal Republic from among first-class administrative justice judges and prosecutors and those deemed to be in this profession, and one-quarter of the Council of Judges and Prosecutors is elected from among the officials whose qualifications are specified in the law.

The President of the Council of State, the Chief Public Prosecutor, the deputy presidents and the heads of chambers are elected by the General Assembly of the Council of State from among its members for a period of four years by the absolute majority of the total number of members and by secret ballot. Those whose term has expired can be re-elected.

The establishment, operation, qualifications and election procedures of the President, Chief Prosecutor, deputy presidents, heads of departments and members of the Council of State shall be regulated by the laws of the Confederal Republic on the basis of the characteristics of the administrative judiciary, the independence of the courts and the guarantee of judiciary.

#### 7.7.1.6. COURT OF JURISDICTIONAL DISPUTES

A court of jurisdictional disputes is established by the Confederal Republic for each national state to resolve disputes between judicial and administrative judicial authorities.

The court of jurisdictional disputes is authorized to definitively resolve disputes between judicial and administrative judicial authorities regarding duties and judgments.

The establishment of the Court of Dispute, the qualifications and elections of its members and their functioning are regulated by the laws of the Confederal Republic. The President of this court shall be the member appointed by the relevant Constitutional Court among its members.

In disputes between other courts and the Constitutional Court, the decision of the Constitutional Court shall prevail.

## **7.7.2. OTHER BODIES OF THE JUSTICE SYSTEM**

### **7.7.2.1. COUNCIL OF JUDGES AND PROSECUTORS**

The Council of Judges and Prosecutors is established and acts on the basis of the independence of the courts and the guarantee of judiciary.

The Council of Judges and Prosecutors consists of the Presidential Council and nine chambers affiliated to the council, each chamber consists of the same number of boards as the National States within the Regional Federal Republic, and each board consists of thirteen members and two committees consisting of a president and four members. Each board consists of the citizens of the National State where they will serve.

The President of the Council of Judges and Prosecutors is the Minister of Justice of the Confederal Republic. The Undersecretary of the Ministry of Justice is a natural member of the Council. Six of the members of each Board, which is a subsidiary of the chambers affiliated with the Council, are first class; civil justice judges and prosecutors who have not lost the qualifications that require being classified in the first class are first class; administrative justice judges and prosecutors who have not lost the qualifications that require being classified in the first class are elected by the President of the Confederal Republic from among three times the number of candidates suggested by the Presidents of National States; seven of the members of each Board, which is a subsidiary of the departments affiliated to the Council, are elected by the Confederal Republic Assembly from among three times the candidates proposed by the National State Assemblies, among the members of the Supreme Court of Appeals, members of the Council of State, faculty members working in the law branches of higher education institutions whose qualifications are specified in the law, and lawyers. At least one of the members selected among the faculty members and lawyers must be a faculty member and at least one of them must be a lawyer.

Proposals of the National Heads of State regarding the membership of each Board, which is a sub-organization of the departments affiliated to the Council, to be elected by the President of the Confederal Republic, are made to the Ministry of Justice of the Confederal Republic.

The applications of the National State Assemblies regarding the memberships to be elected by the Confederal Assembly of the Republic of each Board, which is a sub-organization of the departments affiliated to the Council, are made to the Presidency of the Confederal Assembly. The Presidency of the Confederal Assembly sends the applications from the Members of the Constitution and Justice Commissions to the Board Joint Commission. The Commission shall nominate three candidates for each membership by a two-thirds majority of the total number of members. If the candidate selection process cannot be finalized in the first vote, a three-fifths majority of the total number of members is sought in the second vote. If the candidate cannot be determined in this vote, the nomination process is completed by drawing the name between the two candidates who received the most votes for each membership. The Confederal Assembly of the Republic elects from among the candidates determined by the Commission by secret ballot separately for each member. In the first ballot, a two-thirds majority of the total



number of members is required, and if the election cannot be concluded in this ballot, a three-fifths majority of the total number of members is required in the second ballot. In the second vote, if the member cannot be elected, the election of the member is completed by drawing the name between the two candidates who received the most votes.

Members are elected for five years. Expired members can be elected once again.

Each election of a member of the Board, which is a subsidiary body of the Chambers attached to the Council, shall be made within thirty days before the expiry of the term of office of the members. In the event that the membership of the Board is vacant before the expiry of the term of office of the elected members, the election of new members shall be made within thirty days following the vacancy.

The members of the Council, other than the Minister of Justice of the Confederal Republic and the Undersecretary of the Ministry of Justice, cannot take any other duty other than those specified in the law or cannot be appointed and elected by the Board.

The President of the Council shall be responsible for the management and representation of the Council. The President of the Council may not participate in the work of the boards. The General Assembly of the Council elects and appoints the Presidency of the Council and its deputies, heads of departments and department heads, and boards and delegations affiliated to their departments among its members. The President of the Council may delegate some of his powers to the Vice-Presidents and Heads of Departments.

The Council carries out the procedures of admitting, appointing and transferring judicial and administrative judges and prosecutors to the profession, granting temporary authority, promotion and classification to the first class, distributing staff, deciding on those who are not deemed suitable to remain in the profession, imposing disciplinary punishment and dismissing them from duty. It decides on the proposals of the Ministry of Justice regarding the abolition of a court or the change of judicial district, and also carries out other duties assigned by the Constitution and laws.

Supervising whether judges and prosecutors perform their duties in accordance with the law and other legislation (administrative circulars for judges), investigating whether they have committed a crime due to or during their duties, whether their behavior and actions comply with the requirements of their titles and duties, and examining and investigating them when necessary is carried out by the Council inspectors upon the proposal of the relevant department and the approval of the President of the Council of Judges and Prosecutors. Investigation and investigation procedures can also be carried out by a more senior judge or prosecutor than the one to be investigated and investigated.

Judicial authorities cannot be appealed against the decisions of the Council other than those regarding the dismissal penalty.

The General Secretariat of the Council is established. The Secretary General is appointed by the Minister of Justice of the Confederal Republic from among the three candidates proposed by the Council from the first-class judges and prosecutors. The power to appoint Council inspectors and judges and prosecutors to be employed temporarily or permanently in the Council shall rest with the Council with their consent.

The Confederal Republic Minister of Justice has the authority to appoint judges and prosecutors, justice inspectors and internal auditors from the profession of judges and prosecutors to be employed temporarily or permanently in the headquarters, National States, affiliated and related organizations of the Confederal Republic Ministry of Justice, with their consent.

The election of the Council members, the formation and division of labor of the departments, boards and delegations, their duties, meeting and decision quorums, working procedures and principles, objections to decisions and transactions and the procedure for reviewing them, and the establishment and duties of the General Secretariat are regulated by the Confederal Republic laws.

#### 7.7.2.2. COURT OF ACCOUNTS

The Court of Accounts is established within each of the Confederal and Regional Federal Republics and National States.

The Court of Accounts is responsible for auditing all income, expenses and assets of public administrations and social security institutions within the scope of the central government budget under which it was established, on behalf of the Confederal, Regional Federal Republic and National State Assemblies for making final decisions on the accounts and transactions of those responsible and for carrying out the examination, supervision and decision-making duties given by law. Regarding the final provisions of the Court of Accounts, those concerned may request a one-time correction of the decision within fifteen days from the date of written notification. Administrative justice cannot be applied due to these decisions.

Relevant and competent decisions of the Council of State shall be taken as a basis in disputes between the relevant and competent decisions of the Council of State and the relevant and competent decisions of the Court of Accounts regarding taxes, similar financial obligations and duties.

Auditing and finalizing the accounts and transactions of local administrations are carried out by the relevant Court of Accounts.

The establishment, operation, audit procedures, qualifications, appointments, duties and powers, rights and obligations and other personal affairs of the Court of Accounts, the guarantee of the President and members of the Court of Accounts shall be regulated by the laws of the Confederal Republic.

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