

Updated Memorandum on Battlefield Evidence

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News

With a view to strengthening the EU's information exchange in the field of counter-terrorism, Eurojust published a new edition of its [Memorandum on Battlefield Evidence](#) in September 2020. The Memorandum outlines present-day possibilities of and experiences with using battlefield evidence in criminal proceedings in EU Member States and non-EU countries. It is based on replies to a questionnaire received from national judicial authorities and includes the following:

- The applicable legal framework;
- Overview of how battlefield information is obtained from military forces and other actors;
- Experiences of national authorities in using battlefield information as evidence.

While the first edition of the Memorandum of 2018 could not rely on many experiences of national authorities in obtaining and using battlefield information, this experience has significantly increased over the last two years. Hence, this new edition provides more detailed chapters on categories of battlefield evidence, how to use battlefield experience in judicial proceedings, and how to overcome corresponding challenges. The Memorandum must be seen in the wider context of international efforts to make better use of information obtained in conflict zones. Such information is considered particularly relevant when prosecuting foreign terrorist fighters.

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ISSN: 1862-6947

<https://euclid.eu>



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The project is co-financed by the Union Anti-Fraud Programme (UAFP), managed by the European Anti-Fraud Office (OLAF).



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the European Union**