

Alfred Benny Auner

Academic Curriculum Vitae

Personal Information

Name: Dr. Alfred Benny Auner, LL.M. (WU)
Date & place of birth: May 13, 1993, Vienna
Nationality: Austria
Address: Kapitelgasse 5–7, 5020 Salzburg
Phone: +43 662 8044-3627
Email: alfredbenny.auner@plus.ac.at
Homepage: plus.ac.at/oeffentliches-recht/fachbereich/verfassungs-und-verwaltungsrecht/mitarbeiterinnen-vvr/alfred-benny-auner/



Education

4/2016–9/2019: Doctorate Degree in Law, University of Salzburg

Graduated with distinction (Ø 1.0); dissertation: Das gewerberechtliche Sonderregime von IPPC-Anlagen. Die Umsetzung der Industrieemissions-Richtlinie in der Gewerbeordnung (“The Regulatory Regime for IPPC Industrial Estates. Implementation of the Industrial Emissions Directive in the Trade Regulation Act”); supervisors: Univ.-Prof. Dr. Harald Stolzlechner, Univ.-Prof. DDr. Michael Potacs

9/2014–3/2016: Master's Degree in Business Law, Vienna University of Economics and Business

Graduated with distinction (Ø 1.1; best student of the year); thesis: Unabhängigkeit der Regulierungsbehörden (“Independence of Regulatory Authorities”); supervisor: Univ.-Prof. DDr. Michael Potacs

9/2011–6/2014: Bachelor's Degree in Business Law, Vienna University of Economics and Business

Ø 1.8; second-best student of the year in the combined ranking; thesis: Selektive Vertriebsvereinbarungen und der Onlinehandel (“Selective Distribution Agreements and Online Trade”); supervisor: Univ.-Prof. Dr. Martin Winner

9/2008–6/2011: Federal Commercial Academy Zell am See

Graduated with distinction (Ø 1.0)

Professional Experience

Since 1/2023: University Assistant (postdoc)

University of Salzburg, Department of Public Law; responsibilities: research in the field of public law, fundamental and human rights, preparation of a habilitation thesis, teaching, examination duties, responsible for social media (LinkedIn & Bluesky), administrative tasks

1/2022–12/2022: Senior Scientist

University of Salzburg, Austrian Human Rights Institute; responsibilities: research in the field of human rights (especially ECHR, EU Charter of Fundamental Rights), editor-in-chief of the journal Newsletter Menschenrechte (NLMR) from 5/2022–12/2022, website redesign

4/2021–11/2021: Trainee Lawyer

Lawyer Dr. Rafaela Golda-Zajc; responsibilities: family, inheritance, property and administrative criminal law

9/2020–3/2021: Legal Intern

Higher Regional Court Linz; assignments at the District Court Salzburg and Regional Court Salzburg

10/2019–6/2020: Civil Servant

Hilfswerk Salzburg gGmbH

10/2011–9/2019: Employee in family business

Auner Motorradbekleidung und Zubehör Handels GmbH

9/2015–10/2015: Intern

Prunbauer & Romig Attorneys at Law; focus: unfair competition law

8/2014–9/2014: Intern

Austrian Chamber of Commerce, Department for Legal Policy; focus: Trade Law

Research Focus

Intersections between national law and EU law

Constitutional law: fundamental and human rights, municipal constitutional law, political parties, state organisation

Administrative law: environmental law, trade law, general administrative law

Publications

Monographs

Das gewerberechtliche Sonderregime von IPPC-Anlagen (“The Regulatory Regime for IPPC Industrial Estates”) (2020) 1–578, <doi.org/10.33196/9783704686169>; ISBN: 978-3-7046-8532-2, 978-3-7046-8616-9.

Articles in Academic Journals

Alles auf Anfang? Die Beschwerdebefugnis von Vereinigungen vor dem EGMR in Nachhaltigkeitsfragen („Back to the Start? The Standing of Associations before the ECtHR in Sustainability Matters“), Zeitschrift für Europäisches Umwelt- und Planungsrecht (EurUP) 4/2025, 362–372, <eurup.lexxion.eu/article/EURUP/2025/4/4>.

Ein „einziger Versuch“? Einbringen desselben Nostrifizierungsantrags an mehreren Universitäten (“A ‘Single Attempt’? Submitting the Same Nostrification Application to Multiple Universities”), Zeitschrift für Hochschulrecht, Hochschulmanagement und Hochschulpolitik (zfhr) 4/2025, 113–122, <doi.org/10.33196/zfhr202504011301>.

Leitentscheidungen des Europäischen Gerichtshofs für Menschenrechte im Jahr 2023 (“Key Judgments of the European Court of Human Rights in 2023“), Zeitschrift für öffentliches Recht (ZöR) 4/2024, 747–868, <doi.org/10.33196/zoer202404074701> (co-authored with *Reinhard Klaushofer* and *Eduard Christian Schöpfer*).

Die neue Richtlinie über die Gesamtenergieeffizienz von Gebäuden (“The New Directive on the Energy Performance of Buildings“), baurechtliche blätter (bbl) 1/2025, 1–11, <doi.org/10.33196/bbl202501000101>.

Verordnungsersetzender Bescheid zur Durchsetzung unionsrechtlicher subjektiver Rechte? (“Regulation-Substituting Administrative Decision as a Means of Enforcing EU-Based Subjective Rights?“), Journal für Rechtspolitik (JRP) 2-3/2024, 56–71, <doi.org/10.33196/jrp202402005601> (co-authored with *Sebastian Krempelmeier*).

Legal Standing and Victim Status of Individuals and Associations After the 'KlimaSeniorinnen' Case. *Facta Universitatis*, Series: Law and Politics 2/2024, 131–146, <doi.org/10.22190/FULP241007012A>.

Bautechnische Regelungen als „Umweltschutzvorschriften“? Anwendung der Aarhus-Konvention im Licht der neuen EU-Gebäuderichtlinie (“Technical Building Regulations as ‘Environmental Protection Provisions’? Applicability of the Aarhus Convention in Light of the New EU Buildings Directive“), Recht der Umwelt (RdU) 4/2024, 153–158, <rdb.manz.at/document/rdb.tso.Llrdu20240406>.

Russlands Ausschluss aus Europarat und EMRK: Bestandsaufnahme und Rechtsfolgen (“Russia's Exclusion from the Council of Europe and the ECHR: Assessment and Legal Consequences”), *Fremden- und Asylrechtliche Blätter (FABL)* 2022-I, 15–24, <rdb.manz.at/document/rdb.tso.Llfabl20220201>.

Jagdfreistellung von Grundstücken – Rechtsprechungsvergleich zwischen VfGH und EGMR (“Hunting Exemption for Properties – Comparison of Case Law Between the Austrian Constitutional Court and the European Court of Human Rights”), *Zeitschrift für Verwaltung (ZfV)* 2/2018, 150–157, <360.lexisnexis.at/d/artikel/jagdfreistellung_von_grundstuecken_rechtsprechungsv/z_zfv_2018_2_ZfV_2018_02_012_5f4ae3e207>.

Book Chapters/Commentaries

Kommentierung zu Art 118a B-VG (“Commentary on Article 118a of the Federal Constitutional Law”), in Kneihs/Lienbacher (eds), *Rill-Schäffer-Kommentar Bundesverfassungsrecht* (34th delivery 2025) 1–42, <doi.org/10.33196/9783704697462> (co-authored with *Harald Stolzlechner*).

The Court of Justice of the European Union and Human Rights in 2023, in Czech/Heschl/Lukas/Nowak/Oberleitner (eds), *European Yearbook on Human Rights 2024* (2025), 485–522, <doi.org/10.1163/9789004708389_017>.

Kommentierung zu Art 118 B-VG (“Commentary on Article 118 of the Federal Constitutional Law”), in Kneihs/Lienbacher (eds), *Rill-Schäffer-Kommentar Bundesverfassungsrecht* (33rd delivery 2024) 1–148, <doi.org/10.33196/9783704696243> (co-authored with *Harald Stolzlechner*).

Review: *Wielinger*, Kneihs, Benjamin / Lienbacher, Georg (Hg): *Rill-Schäffer-Kommentar Bundesverfassungsrecht*, JBl 2025, 475, <360.lexisnexis.at/d/artikel/kneihs_benjamin_lienbacher_georg_hg_rill_schaffer/z_jbl_2025_7_jbl_2025_07_0475_2bd2b05c56?searchid=20251021132712337>.

Grundrechte (“Fundamental Rights”), in Bley/Daveloose/Jachmann/Zukic (eds), *Casebook Verfassungs- und Verwaltungsrecht* (2024), 139–180 (co-authored with *Larissa Bley*).

Kundmachung, Präklusion, Einwendungen und Parteistellung/Beschwerdelegitimation (“Announcement, Preclusion, Objections, and Legal Standing/Right to Appeal”), in Bley/Daveloose/Jachmann/Zukic (eds), *Casebook Verfassungs- und Verwaltungsrecht* (2024), 26–53 (co-authored with *Viktoria Jachmann*).

The Court of Justice of the European Union and Human Rights in 2022: National Security Interests as Means of Deviation from EU Law?, Czech/Heschl/Lukas/Nowak/Oberleitner, *European Yearbook on Human Rights 2023* (2023), 591–626, <doi.org/10.1017/9781839704543.020>.

Die Judikatur des EGMR zu Österreich 2022 (“The Case Law of the ECtHR on Austria 2022”), in Baumgartner (ed), *Jahrbuch Öffentliches Recht* 2023, 431–467, <doi.org/10.37942/9783708341651-301>.

Meinungsäußerungs- und Pressefreiheit von Online-Plattformen (“Freedom of Expression and Freedom of the Press for Online Platforms”), in Domig *et al.* (eds), *Weder schwarz noch weiß: Grauzonen im Öffentlichen Recht: Tagung der Österreichischen Assistentinnen und Assistenten Öffentliches Recht* (2023) 147–181.

Kommentierung zu Art 117 B-VG (“Commentary on Article 117 of the Federal Constitutional Law”), in Kneihls/Lienbacher (eds), *Rill-Schäffer-Kommentar Bundesverfassungsrecht* (29th delivery 2022) 1–133, <doi.org/10.33196/9783704690203> (co-authored with *Harald Stolzlechner*).

Review: *Wielinger*, Kneihls, Benjamin / Lienbacher, Georg (Hg): *Rill-Schäffer-Kommentar Bundesverfassungsrecht*. JBl 2023, 475, <360.lexisnexis.at/d/artikel/kneihls_benjamin_lienbacher_georg_hg_rill_schaffer/z_jbl_2023_7_jbl_2023_07_0475_8a3afccb0e>.

Die Judikatur des EGMR zu Österreich 2021 (“The Case Law of the ECtHR on Austria 2021”), in Baumgartner (ed), *Jahrbuch Öffentliches Recht* 2022, 381–422, <doi.org/10.37942/9783708340951>.

Case Notes

Case Note on ECtHR 7.5.2025, 14620/21 (*Elena De Conto v Italy and 32 other States*) and ECtHR 7.5.2025, 14615/21 (*Daniela Uricchio v Italy and 31 other States*): Opfereigenschaft im Hinblick auf gesundheitliche Beeinträchtigungen infolge des Klimawandels (“Victim Status in Relation to Health Impacts Due to Climate Change”), *Newsletter Menschenrechte (NLMR)* 3/2025, 254–256, <beck-online.beck.de/Bcid/Y-300-Z-NLMR-B-2025-S-253-N-1>.

Case Note on ECtHR 30.1.2025, 51567/14 and Others (*Cannavacciuolo and Others v Italy*): Unzureichende staatliche Maßnahmen gegen massive Umweltverschmutzung durch illegale Müllentsorgung (“Insufficient State Measures Against Massive Environmental Pollution Due to Illegal Waste Disposal”), *NLMR* 1/2025, 24–25, <beck-online.beck.de/Bcid/Y-300-Z-NLMR-B-2025-S-13-N-1>.

Case Note on ECtHR 26.11.2024, 1718/21 (*A.P. v Austria*): Tod eines Grundwehrdieners bei einem Hitzemarsch (“Death of a Conscript During a Heat March”), *NLMR* 6/2024, 465–466, <beck-online.beck.de/Bcid/Y-300-Z-NLMR-B-2024-S-459-N-1>.

Case Note on ECtHR (GC) 9.4.2024, 53600/20 (*Verein KlimaSeniorinnen Schweiz and Others v Switzerland*): Recht auf effective Maßnahmen zur Eindämmung des Klimawandels (“Right to Effective Measures to Combat Climate Change”), *NLMR* 4/2024, 123–126, <rdb.manz.at/document/rdb.tso.ENnlmr20240205>.

Blog Contributions

New ECtHR Climate Cases: Business as Usual?, Völkerrechtsblog, 25.7.2025, <voelkerrechtsblog.org/new-ecthr-climate-cases/>.

A.P. v. Austria: Death of Conscript During ‘Heat March’ – the Question of Causality, Strasbourgobservers, 14.2.2025, <strasbourgobservers.com/2025/02/14/a-p-v-austria-death-of-conscript-during-heat-march-the-question-of-causality/>.

Aussetzung des Betriebs im größten Stahlwerk Europas? (“Suspension of Operations at Europe’s Largest Steel Plant?”), Umweltrechtsblog, 6.8.2024, <[umweltrechtsblog.at/post/aussetzung-des-betriebs-im-größen-stahlwerk-europas](https://umweltrechtsblog.at/post/aussetzung-des-betriebs-im-groesten-stahlwerk-europas)>.

Miscellaneous

Translations into German and summaries of ECtHR and CJEU decisions and book reviews in the NLMR can be found at <orcid.org/0009-0002-2624-5682>.

Lectures

Science-to-science

18.11.2025, Internal Border Controls in the Schengen Area: Framework, Developments and Austria’s Approach, project „Human Rights and Border Policies – a Comparison of Serbia and Austria“ (HURIBO), University of Niš, Serbia.

26.6.2025, Back to the Start? Legal Standing of Associations Before the European Court of Human Rights in Matters of Sustainability, conference “New Sustainability Challenges: The Role of Courts”, University of Siena, Certosa di Pontignano, Italy.

13.6.2025, The Concept of ‘Autonomy’: The ‘Right of Self-Administration’ of Municipalities in the Austrian Federal Constitution, workshop “Exploring the Autonomy of Cities: Philosophical, Legal, and Policy Dimensions”, American University of Paris, France.

5.6.2025, Causation for Establishing Victim Status and Beyond, workshop “The role of the causal inquiry for finding breaches of human rights obligations under the European Convention on Human Rights”, Lund University, Sweden.

28.2.2025, Comparing the EU Charter of Fundamental Rights to the ECHR: Interpretation, Influence on Digital Rights and Access to Justice, online lecture as part of the Jean Monnet module DIGIRIGHTS, University of Niš, Serbia.

1.7.2024, Parteifähigkeit und „Opfereigenschaft“ von Einzelnen und Vereinigungen (“Legal Standing and ‘Victim Status’ of Individuals and Associations”), conference „Das Klimaurteil des EGMR: Ein Durchbruch mit Folgen auch für Österreich?“, Austrian Human Rights Institute, Salzburg, Austria.

6.3.2024, Innerstaatliche Durchsetzung unionsrechtlich bedingter subjektiver Rechte (am Beispiel von § 9a Abs 11, 12 IG-L) (“Domestic Enforcement of EU Law-Based Subjective Rights (Using § 9a Paragraphs 11, 12 IG-L as an Example)”), practical dialogue with the Salzburg Administrative Court and the Constitutional Service of the Salzburg Provincial Government, University of Salzburg, Austria.

7.10.2022, Meinungsäußerungs- und Pressefreiheit von Online-Plattformen (“Freedom of Expression and Freedom of the Press for Online Platforms”), 12th Conference of Austrian Assistants in Public Law (ÖAT), University of Vienna, Austria.

Science-to-public

19.3.2025, Einführung in das Verfassungsrecht und in die Grundzüge der Menschenrechte (“Introduction to Constitutional Law and Human Rights”), dabei-austria (Austrian umbrella organization for vocational inclusion), online.

10.3.2025, Einführung in das Verwaltungsrecht (“Introduction to Administrative Law”), dabei-austria (Austrian umbrella organization for vocational inclusion), online.

13.1.2025, Öffentliches Recht: „Postenschacher“ – verfassungs- und verwaltungsrechtliche Grundlagen der Bestellung von Spitzenpositionen in der Staatsverwaltung (“Public law: ‘Post trading’ – constitutional and administrative law principles governing appointments to top positions in state administration”), guest lecture as part of the lecture “Introduction to Law and Economics”, University 55-PLUS, University of Salzburg, Austria.

5.6.2024, Grundlagen des Verwaltungsverfahrens und der Verwaltungsgerichtsbarkeit im Kontext der beruflichen Anerkennung (“Fundamentals of administrative procedure and administrative jurisdiction in the context of professional recognition”), AST – Contact Point for people who gained professional qualifications abroad, Steinbach am Attersee, Austria.

28.2.2024, Einführung in das Verwaltungsrecht (“Introduction to Administrative Law”), dabei-austria (Austrian umbrella organization for vocational inclusion), online.

15.12.2023, The Energy Performance of Buildings Directive (“Introduction to Administrative Law”), Salzburger Juristische Gesellschaft (Salzburg Law Society), University of Salzburg, Austria.

28.–29.3.2023, Völkerrecht und Recht der Europäischen Union (“International Law and European Union Law”), E1 Training for the Prison Service, Federal Ministry of Justice, Justice Education Center Schwechat, Austria.

16.3.2023, Einführung in das Verwaltungsrecht (“Introduction to Administrative Law”), dabei-austria (Austrian umbrella organization for vocational inclusion), online.

31.5.2022, Grundlagen des Verwaltungsverfahrens und der Verwaltungsgerichtsbarkeit im Kontext der beruflichen Anerkennung (“Fundamentals of Administrative Procedure and Administrative Jurisdiction in the Context of Professional Recognition”), AST – Contact Point for people who gained professional qualifications abroad, Seeham am Obertrumer See, Austria.

20.5.2022, Freiheit der Meinungsäußerung in Presse, TV und Internet (“Freedom of expression in the press, TV, and the Internet”), ELSA Study Visit, University of Salzburg.

Visiting Research Stays

30.6.–4.7.2025, Università di Siena, Gruppo di ricerca e formazione sul diritto pubblico europeo e comparato, short stay

10/2024, Università degli Studi di Padova, Centro di Ateneo per i Diritti Umani “Antonio Papisca”, guest researcher

Teaching Experience

WS 2025/2026, University of Salzburg, Department of Public Law

Klausurenübung aus Verfassungs- und Verwaltungsrecht (“Exam Preparation in Constitutional and Administrative Law”) (together with *Michael Leitner*)

SS 2025, University of Salzburg, Department of Public Law

Klausurenübung aus Verfassungs- und Verwaltungsrecht (“Exam Preparation in Constitutional and Administrative Law”) (together with *Sebastian Krempelmeier*)

Übung Grundlagen und Methoden des Verfassungs- und Verwaltungsrechts (“Exercise Fundamentals and Methods of Constitutional and Administrative Law”)

Vorlesung Öffentliches Wirtschaftsrecht III (Vorlesungsteil Regulierungsrecht) (“Lecture on Public Commercial Law III (Section on Regulatory Law)”)

WS 2024/2025, University of Salzburg, Department of Public Law

Klausurenübung aus Verfassungs- und Verwaltungsrecht (“Exam Preparation in Constitutional and Administrative Law”)

SS 2024, University of Salzburg, Department of Public Law

Klausurenübung aus Verfassungs- und Verwaltungsrecht (“Exam Preparation in Constitutional and Administrative Law”)

Vorlesung Öffentliches Wirtschaftsrecht III (Vorlesungsteil Regulierungsrecht) (“Lecture on Public Commercial Law III (Section on Regulatory Law)”)

WS 2023/2024, University of Salzburg, Department of Public Law

Übung Grundlagen und Methoden des Verfassungs- und Verwaltungsrechts ("Exercise Fundamentals and Methods of Constitutional and Administrative Law")

SS 2023, University of Salzburg, Department of Public Law

Vorlesung Öffentliches Wirtschaftsrecht III (Vorlesungsteil Regulierungsrecht) ("Lecture on Public Commercial Law III (Section on Regulatory Law)")

Expert Activities

4/2025, Democracy Reporting International (DRI), European Implementation Network, Non-Implementation of Court Rulings Continues to undermine European Rule of Law: co-rapporteur for Austria on compliance with rulings of the CJEU

(Co-)Organization of Conferences and Lectures

8.10.2025, guest lecture on "Rediscovering 'the Freedom of Assembly' – Current Situation and Challenges in Japan from Comparative Constitutional Law", Ass.-Prof. Miki Kadota, Kyoto University, held at the University of Salzburg: organisation of the lecture

Awards

2021, Environmental and Technology Law Award – Promotional Award, Haslinger/Nagele Rechtsanwälte GmbH, Manz Verlag, Austrian Water and Waste Management Association (ÖWAV), IG Environment and Technology

2014, BDO Best Presentation Award in Tax Law, Institute for Austrian and International Tax Law, Vienna University of Economics and Business

2014, Rector's List Summer Semester, Vienna University of Economics and Business

Memberships

Council of Europe, Open Council of Europe Academic Networks (OCEAN)
Juristenverband, Austrian Lawyers' Association

Additional Skills

Language Skills

German: Native speaker

English: C2, Cambridge BEC Vantage Certificate, TOEFL Certificate

Italian: B1

French: A1+

IT Skills

Microsoft Office

Graphic design (Adobe Photoshop, Corel Draw)

Legal databases (e.g., rdb, LexisNexis, Beck-Online)

Literature management (e.g., EndNote, Zotero)

Relevant Training

1/2023–2/2024, Course on university didactics (HSD+), University of Salzburg