

Alfred Benny Auner

Academic Curriculum Vitae

Personal Information

Name: Dr. Alfred Benny Auner, LL.M. (WU)
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Research Focus

Constitutional and administrative law, in particular intersections between national law and EU law, fundamental and human rights law, municipal constitutional law, environmental law, trade and business regulation law, and general administrative law

Habilitation Project

Working title: Staatliche Personalbestellung in der Spitzenverwaltung – zwischen parteipolitischen Interessen und Staatsinteressen [Appointment of Senior Public Officials – Between Party-Political Interests and the Public Interest]

Professional Experience

Since 1/2023: Postdoctoral Researcher and Lecturer

University of Salzburg, Department of Public Law. Research and teaching in public law. Administrative responsibilities: social media coordinator, FGDD officer.

1/2022–12/2022: Senior Scientist

University of Salzburg, Austrian Human Rights Institute. Research in human rights law; editor-in-chief of the journal Newsletter Menschenrechte (NLMR) from 5/2022–12/2022; website redesign.

4/2021–11/2021: Trainee Lawyer

Law Office Dr. Rafaela Golda-Zajc. Family, inheritance, property and administrative criminal law.

Prior Experience

Legal intern, civil servant, employee in family business, internships at a law firm and at the Austrian Chamber of Commerce

Education

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

Dissertation: Das gewerberechtliche Sonderregime von IPPC-Anlagen. Die Umsetzung der Industrieemissions-Richtlinie in der Gewerbeordnung (“The Regulatory Regime for Industrial Installations. Implementation of the Industrial Emissions Directive in the Trade Regulation Act”); supervisors: *Harald Stolzlechner, Michael Potacs*

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

Thesis: Unabhängigkeit der Regulierungsbehörden (“Independence of Regulatory Authorities”); supervisor: *Michael Potacs*

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

Thesis: Selektive Vertriebsvereinbarungen und der Onlinehandel (“Selective Distribution Agreements and Online Trade”); supervisor: *Martin Winner*

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

Matura

Publications

Monographs

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

Articles in Academic Journals

2. Auswirkungen der RED III auf die Raumordnung: Pflicht zur Ausweisung von Beschleunigungsgebieten für erneuerbare Energie (“The Impact of RED III on Spatial Planning: Obligation to Designate Renewables Acceleration Areas”), *baurechtliche blätter (bbl)* 4/2026, 131–144, <doi.org/10.33196/bbl202604013101>.
3. Leitentscheidungen des Europäischen Gerichtshofs für Menschenrechte im Jahr 2024 (“Leading Cases in the European Court of Human Rights’ Jurisprudence 2024”), *Zeitschrift für öffentliches Recht (ZöR)* 4/2025, 1043–1141. <doi.org/10.33196/zoer202504104301> (co-authored with *Reinhard Klaushofer* and *Eduard Christian Schöpfer*).
4. 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>.

5. Ein „einzigster 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>.
6. Leitentscheidungen des Europäischen Gerichtshofs für Menschenrechte im Jahr 2023 (“Key Judgments of the European Court of Human Rights in 2023”), *ZöR* 4/2024, 747–868, <doi.org/10.33196/zoer202404074701> (co-authored with *Reinhard Klaushofer* and *Eduard Christian Schöpfer*).
7. Die neue Richtlinie über die Gesamtenergieeffizienz von Gebäuden (“The New Directive on the Energy Performance of Buildings”), *bbl* 1/2025, 1–11, <doi.org/10.33196/bbl202501000101>.
8. Verordnungseretzender 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*).
9. 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>.
10. 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>.
11. 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>.
12. 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_rechtsprechungs_v_z_zfv_2018_2_ZfV_2018_02_012_5f4ae3e207>.

Book Chapters and Commentaries

13. 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*).

Review: *Wielinger*, Kneihs, Benjamin / Lienbacher, Georg (Hg): Rill-Schäffer-Kommentar Bundesverfassungsrecht, JBl 2026, 63.

14. 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>.

15. 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.

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

17. Kundmachung, Präklusion, Einwendungen und Parteistellung/Beschwerdelegitimation (“Promulgation, 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*).

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

19. 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>.

20. 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.

21. Kommentierung zu Art 117 B-VG (“Commentary on Article 117 of the Federal Constitutional Law”), in Kneihs/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.

22. 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

23. Opfereigenschaft bei Klimabeschwerden vor dem EGMR – De Conto/Italien und 32 andere Staaten (“Victim Status in Climate Cases Before the ECtHR – De Conto/Italy and 32 other States”), Nachhaltigkeitsrecht (NR) 2/2026, 157–161, <doi.org/10.33196/nr202602015701>.
24. Case Note on ECtHR 28.10.2025, 34068/21 (Greenpeace Nordic and Others v Norway) and ECtHR 18.11.2025, 40054/23 (Peter Fliegenschnee and Others v Austria), NLMR 6/2025, 526–529, <beck-online.beck.de/Bcid/Y-300-Z-NLMR-B-2025-S-522-N-1>
25. 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>.
26. 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>.
27. 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>.
28. Case Note on ECtHR (GC) 9.4.2024, 53600/20 (Verein KlimaSeniorinnen Schweiz and Others v Switzerland): Recht auf effektive 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

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

30. A.P. v. Austria: Death of Conscript During 'Heat March' – the Question of Causality, Strasbourg Observers, 14.2.2025, <strasbourgothers.com/2025/02/14/a-p-v-austria-death-of-conscript-during-heat-march-the-question-of-causality/>.
31. 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-größten-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 international

1. 9 June 2026, Impact of the Renewable Energy Directive on Spatial Planning, ELAWNET Conference: Energy Law in the light of the green transition towards net zero emissions, University of Oslo, Norway.
2. 6 May 2026, Involvement of Private Actors in the Detention of Aliens, Projekt „Human Rights and Border Policies – a Comparison of Serbia and Austria“ (HURIBO), University of Niš, Serbia.
3. 18 November 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.
4. 26 June 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.
5. 13 June 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.
6. 5 June 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.
7. 28 February 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.

Science-to-science national

8. 24 February 2026, Auswirkungen der Erneuerbare-Energien-RL auf die Raumordnung (“Impact of the Renewable Energy Directive on Spatial Planning”), conference “Raumordnungsrecht im Fokus: Neunte Jahrestagung des Fachbereichs Öffentliches Recht”, University of Salzburg, Austria.
9. 1 July 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.
10. 6 March 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.
11. 7 October 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

12. 13 March 2026, Einführung in das Verwaltungsrecht (“Introduction to Administrative Law”), dabei-austria (Austrian umbrella organization for vocational inclusion), online.
13. 9 March 2026, Einführung in das Verfassungsrecht und in die Grundzüge der Menschenrechte (“Introduction to Constitutional Law and Human Rights”), dabei-austria, online.
14. 19 March 2025, Einführung in das Verfassungsrecht und in die Grundzüge der Menschenrechte (“Introduction to Constitutional Law and Human Rights”), dabei-austria, online.
15. 10 March 2025, Einführung in das Verwaltungsrecht (“Introduction to Administrative Law”), dabei-austria, online.
16. 13 January 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.

17. 5 June 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.
18. 28 February 2024, Einführung in das Verwaltungsrecht (“Introduction to Administrative Law”), dabei-austria, online.
19. 15 December 2023, Die Richtlinie über die Gesamtenergieeffizienz von Gebäuden (“The Energy Performance of Buildings Directive”), Salzburger Juristische Gesellschaft (Salzburg Law Society), University of Salzburg, Austria.
20. 28–29 March 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.
21. 16 March 2023, Einführung in das Verwaltungsrecht (“Introduction to Administrative Law”), dabei-austria, online.
22. 31 May 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.
23. 20 May 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

1. 30 June – 4 July 2025, Università di Siena, Gruppo di ricerca e formazione sul diritto pubblico europeo e comparato, short research stay
2. 10/2024, Università degli Studi di Padova, Centro di Ateneo per i Diritti Umani “Antonio Papisca”, guest researcher

Teaching Qualification

1/2023–2/2024, Higher Education Didactics Programme (HSD+), University of Salzburg

Teaching Experience

1. ST 2026, Klausurenübung aus Verfassungs- und Verwaltungsrecht ("Exam Training in Constitutional and Administrative Law"), exercise course, 3 semester hours per week (sh) (together with *Michael Leitner*)
2. ST 2026, Öffentliches Wirtschaftsrecht I ("Public Economic Law I"), lecture and tutorial course, 4 sh
3. ST 2026, Öffentliches Wirtschaftsrecht III ("Public Economic Law III"), lecture and tutorial course, 2 sh (lecture part on regulatory law)
4. WT 2025/2026, Klausurenübung aus Verfassungs- und Verwaltungsrecht ("Exam Training in Constitutional and Administrative Law"), exercise course, 3 sh (together with *Michael Leitner*)
5. ST 2025, Klausurenübung aus Verfassungs- und Verwaltungsrecht ("Exam Training in Constitutional and Administrative Law"), exercise course, 3 sh (together with *Sebastian Krempelmeier*)
6. ST 2025, Grundlagen und Methoden des Verfassungs- und Verwaltungsrechts ("Basics and Methods of Public Law"), basic course, 4 sh
7. ST 2025, Öffentliches Wirtschaftsrecht III ("Public Economic Law III"), lecture and tutorial course, 2 sh (lecture part on regulatory law)
8. WT 2024/2025, Klausurenübung aus Verfassungs- und Verwaltungsrecht ("Exam Training in Constitutional and Administrative Law"), exercise course, 3 sh
9. ST 2024, Klausurenübung aus Verfassungs- und Verwaltungsrecht ("Exam Training in Constitutional and Administrative Law"), exercise course, 3 sh
10. ST 2024, Öffentliches Wirtschaftsrecht III ("Public Economic Law III"), lecture and tutorial course, 2 sh (lecture part on regulatory law)
11. WT 2023/2024, Grundlagen und Methoden des Verfassungs- und Verwaltungsrechts ("Basics and Methods of Public Law"), basic course, 4 sh
12. ST 2023, Öffentliches Wirtschaftsrecht III ("Public Economic Law III"), lecture and tutorial course, 2 sh (lecture part on regulatory law)

Research Projects and Academic Activities

Projects and Expert Activities

1. 6/2026, Council of Europe, Directorate General Human Rights, Local study on the existing mechanisms for execution of the ECtHR judgments in the member States in the light of the CM Recommendation (2008)2 for Austria
2. 6/2026, Democracy Reporting International gGmbH (DRI), European Implementation Network (EIN), Non-implementation of European Courts Judgments and the Rule of Law: rapporteur for Austria on compliance with rulings of the CJEU
3. 4/2025, DRI, EIN, Non-Implementation of Court Rulings Continues to undermine European Rule of Law: co-rapporteur for Austria on compliance with rulings of the CJEU

Peer Review

4. 5/2026, European Yearbook on Human Rights: Reviewer
5. 4/2026, Polish Review of International and European Law: Reviewer

Academic Service

1. 8/2026, research stay Ass.-Prof. Miki Kadota, University of Tsukuba; organisation of research stay at University of Salzburg
2. 12 March 2026, guest lecture “Das neue ElWG aus Praxissicht” (“The New Electricity Industry Act from the Practical View”), Mag. Daniel Lecker, LL.M., Salzburg AG, within the lecture on Public Economic Law III; organisation of the guest lecture
3. 8 October 2025, guest lecture “Rediscovering ‘the Freedom of Assembly’ – Current Situation and Challenges in Japan from Comparative Constitutional Law”, Ass.-Prof. Miki Kadota, Kyoto University; organisation of the guest lecture

Awards

1. 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
2. 2014, BDO Best Presentation Award in Tax Law, Institute for Austrian and International Tax Law, Vienna University of Economics and Business
3. 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

Language Skills

German: Native speaker

English: C2

Italian: B1

French: A1+