

# AUSTRIA

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## RULES/GENERAL LAWS

<b>General</b>	<b>Austrian Criminal Law</b> <a href="https://www.ris.bka.gv.at/GeltendeFassung.wxe?Abfrage=Bundesnormen&amp;Gesetzesnummer=10002296">https://www.ris.bka.gv.at/GeltendeFassung.wxe?Abfrage=Bundesnormen&amp;Gesetzesnummer=10002296</a>
	<b>National Constitutional Law on cooperation and solidarity regarding deployment of formed units and individual officers in foreign countries</b> <a href="https://www.ris.bka.gv.at/GeltendeFassung.wxe?Abfrage=Bundesnormen&amp;Gesetzesnummer=10001504">https://www.ris.bka.gv.at/GeltendeFassung.wxe?Abfrage=Bundesnormen&amp;Gesetzesnummer=10001504</a>
	<b>Public Services Law</b> <a href="https://www.ris.bka.gv.at/GeltendeFassung.wxe?Abfrage=Bundesnormen&amp;Gesetzesnummer=10008470">https://www.ris.bka.gv.at/GeltendeFassung.wxe?Abfrage=Bundesnormen&amp;Gesetzesnummer=10008470</a>
	<b>Code of criminal procedure</b> <a href="https://www.ris.bka.gv.at/GeltendeFassung.wxe?Abfrage=Bundesnormen&amp;Gesetzesnummer=10002326">https://www.ris.bka.gv.at/GeltendeFassung.wxe?Abfrage=Bundesnormen&amp;Gesetzesnummer=10002326</a>
	Austrian police personnel is considered not being always on duty during weekends or off-days based on the UN-duty regulations. Nevertheless all obligations and regulations in regard to sexual exploitation and sexual abuse have to be respected and followed in this period of non working hours.
	The topic of sexual exploitation and abuse is covered in the obligatory basic-training-course for foreign missions of the the Austrian Ministry of Interior as well as in the obligatory mission specific pre-deployment-training for Austrian Police officers. The national contingent leader (NCL) has also the obligation to instruct the Austrian contingent members covering all aspects of behavior, obligations and rights of the deployed Austrian police officers within the national legal framework as well as the UN-regulations.
<b>SEA: police offence?</b>	There are no specific policing offences considered sexual exploitations and sexual abuse (SEA). The offences of sexual exploitation and sexual abuse are covered within the <b>Austrian Criminal Law</b> . There are also general regulations within the <b>Public Service Law</b> .
<b>Powers of the Commanding Officer (CO)</b>	Due to his authority as the NCL in accordance with the respective UN Missions objectives, he is entitled to promulgate rules and policies relevant to non fraternisation, confinement to camp, etc. The NCL is in the field of SEA the primary point of contact for the Austrian Ministry of Interior and has - depending on the disciplinary procedure within the Mission-SOP - basically administrative, disciplinary and preliminary investigative authority.
<b>INVESTIGATION</b>	
<b>Who can investigate?</b>	Criminal charges against Austrian police officers are investigated solely by the civilian jurisdiction (public prosecutor and civilian courts) in accordance with the <b>Code of criminal procedure</b> .
<b>National Investigation Officer (NIO)</b>	The way of investigations of sexual exploitations will depend on the judicial and legal framework of every individual mission and therefore decided on a case to case bases.”
<b>PROSECUTION</b>	
<b>Referral</b>	Code of criminal procedure
<b>Who can charge?</b>	Criminal charges against Austrian police officers are solely prosecuted by the civilian jurisdiction (public prosecutor and civilian courts)
<b>JUSTICE</b>	
<b>Police justice system</b>	There is no specific Police justice system existing in Austria. Criminal charges against Austrian police officers are investigated and prosecuted solely by civilian jurisdiction (public prosecutor and civilian courts)
<b>DISCLAIMER</b>	
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