

AUSTRIA

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RULES/GENERAL LAWS

General	<p>1. Military discipline code, Heeresdisziplinargesetz/ HDG 2014</p> <p>https://www.jusline.at/Heeresdisziplinargesetz_(HDG).html</p> <p>Besides the obligatory pre-deployment training of Austrian contingents before being sent to an UN mission abroad, every National Contingent Commander (NCC) issues a contingent order for the respective contingent, covering all aspects of behavior, obligations and rights of the deployed Austrian soldiers within the national legal framework as well as the UN mission.</p>
SEA: military offence?	<p>No, Sexual Exploitation and Abuses are qualified as disciplinary or criminal offences punishable by law.</p> <p><u>See § 2 HDG in accordance with §§ 201 and seq of the Austrian criminal code.</u></p>
Powers of the Commanding Officer (CO)	<p>Disciplinary powers.</p> <p><u>See § 13 HDG - National Contingent Commander (NCC)</u></p>

INVESTIGATION

Who can investigate?	<p>1. National Contingent Commander for disciplinary offences</p> <p>2. Public prosecutor for criminal offences</p>
National Investigation Officer (NIO)	<p>National Investigation Officers are either deployed with the units or called to mission areas. Both options are possible and depend primarily on the mission and thus the purpose and size of the deployed Austrian contingent. National Investigation Officers have to report to the National Contingent Commander as the local federal disciplinary authority under Austrian law.</p>

PROSECUTION

Referral	<p>National Investigation Officers refer the investigation to the National Contingent Commander as the responsible local federal disciplinary authority under Austrian law.</p>
Who can charge?	<p>National Contingent Commander is obliged to file criminal charge or report to the public prosecutor.</p> <p><u>See § 5 HDG</u></p>

JUSTICE

Military justice	<p>There is no military justice in Austria - criminal charges against members of the Austrian Armed Forces are investigated and prosecuted by civilian criminal institutions (public prosecutor and courts).</p>
Deployable Court Martial?	<p>No.</p>

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