

Criminal Code (1974, amended 2020) (excerpts)

(unofficial translation, emphasis added)

Criminal Code of Austria (excerpts)

Aggravating circumstances

Article 33

(Amended in 2015, in force since 1 January 2016)

(1) It especially is an aggravating factor, if the perpetrator

(...)

5. has acted out of a **racist, xenophobic or other particularly reprehensible motives**, in particular those directed against one of the groups or persons named in para 283 (1) no. 1 or a member of such a group expressly because of their belonging to this group;

(...)

Incitement to violence

Article 283

(Amended in 2020, in force since 1 January 2021)

(1) Whoever publicly, in a manner that makes it accessible to many people,

1. **incites violence** or hatred **against a church or religious denomination or a group defined by criteria of race, color of skin, language, religion or belief, nationality, descent or national or ethnic origin, gender, physical or mental disability, age or sexual orientation** or against a member of such a group expressly because of their affiliation to this group,

(...)

is punishable by imprisonment for up to two years.