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.