



**HATE
CRIME**

**Have you been
a victim of hate
crime?
Know your rights!**

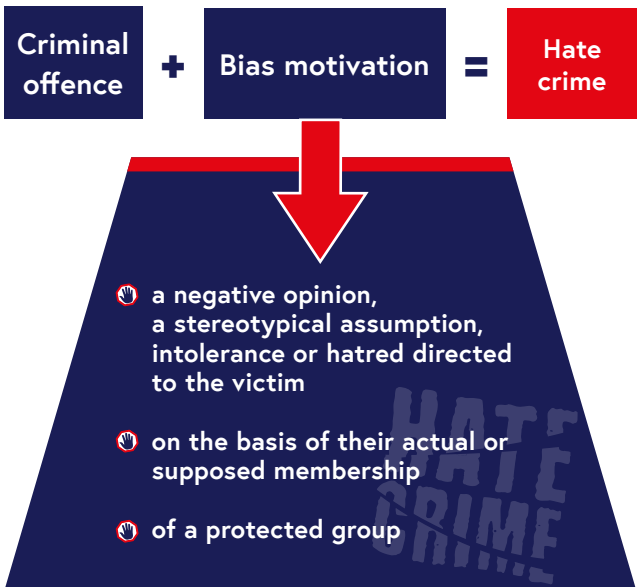
What is a hate crime?

Anyone can become a victim of hate crime!

Perpetrators choose their victims and/or targets deliberately. They attack people and objects that represent groups they reject.

Hate Crimes

- are **criminal offences**.
- are often targeted against the victim's person, property or dignity.
- are crimes against people with specific **identifying characteristics**.
- send a **message of hatred directed against the victim's entire identity group (message crime)**.
- can be offline (hate speech) or online (hate posts).



What can I do?

Good records help the police and the courts to **detect and investigate hate crime**, and are important for planning and taking action to prevent future offences.

- If you feel acutely threatened, dial 133. The police will do everything necessary to protect you.
- If you have been injured, seek medical treatment and make sure your injuries are properly recorded.
- Report the crime to a police station. Witnesses can also report crimes.

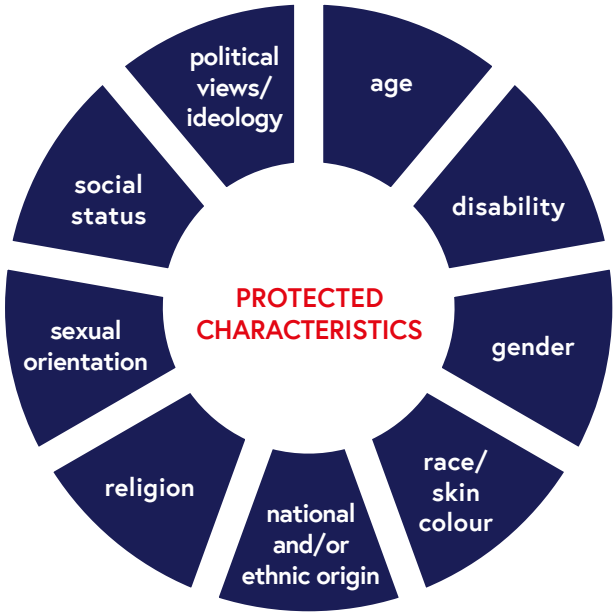
How you can help us catch the perpetrator

Try to take a note of:

- the sequence of events before, during and after the crime, and the damage it caused.
- details of the perpetrator's appearance and the clothes they were wearing, as well as any distinguishing features (hairstyle, tattoos, glasses, etc.).
- how the perpetrator left the scene (car, bicycle, train, etc.), and which way they went.
- the contact details of any witnesses who would be prepared to tell us about what they saw (names, telephone numbers, etc.).

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Protected characteristics



Your rights as a victim of crime (Sections 66 et seqq., Austrian Code of Criminal Procedure [Strafprozessordnung - StPO])

All victims have the right to be assessed at the earliest opportunity to determine whether they are subject to special legal protection. If, following an individual assessment, the victim's age, their physical or mental health, the nature and severity of the offence and/or specific circumstances suggest they are vulnerable, they should be deemed quickly in need of particular protection under the law.



Legal provisions underlying the definition of hate crime

Slander – Section 115 (3) of the Austrian Criminal Code (Strafgesetzbuch - StGB), in conjunction with Section 117 (3) StGB

A person will be judged to have committed slander if they have, publicly or in the presence of several persons, sworn at, mocked or physically abused another person, or threatened them with abuse. If any individual is slandered on the basis of their membership of a specifically protected group and if this victim gives the authorisation, the police are entitled to intervene in such cases on their own initiative.

Incitement – Section 283 StGB

Any person who, publicly or in the presence of many people, calls for violence or hatred against others on the basis of their race, skin colour, language, religion, political views/ideology, nationality, ancestry, national or ethnic origins, gender, physical or mental disability, age, or sexual orientation, will be deemed to have committed incitement. Similarly, if these groups or one of their individual members, are insulted in a derogatory manner and/or publicly disparaged, such action is also deemed to constitute incitement.

Aggravating circumstances – Section 33 (1) (5) StGB

With a view to sentencing, any racist, xenophobic or other reprehensible motivation will be treated as an aggravating circumstance, particular if directed against one of the groups mentioned in Section 283, or against an individual member of such a group.

Help, advice and support

Hate crimes don't just leave physical scars.

Those affected often feel humiliated, unwelcome, persecuted or despised, and lose their sense of security.

Victims of hate crime often suffer from the long-term psychological effects of their experience, and sometimes react by trying to make themselves invisible in order to make themselves more difficult to attack.

Where can I get advice and support?

- Various support and advice services are available for victims, including "Opfer-Notruf" (Victims' Emergency Number), available on **0800 112 112** <https://www.opfer-notruf.at>
- This service from the Ministry of Justice is operated by the "WEISSER RING Verbrechens-opferhilfe" (victim support).

The police can put you in touch with the service if you wish to use it.

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