

Summary

Article 321 of the Austrian Penal Code provides for the repression of the crime of genocide.

Article 64(6) states that the criminal laws of Austria are also applicable to offences committed in a foreign country (irrespective of the law of that country) when Austria is under an obligation to prosecute such an offence.

AMENDED 27.07.2021

Twenty-fifth section, Articles 321 to 321(f): Provisions criminalizing genocide, war crimes (applicable to acts committed in connection to an IAC and NIAC) and crimes against humanity as well as principles of criminal law applicable to those criminal offences such as superior's responsibility :

- Genocide (article 321)
- Crimes against humanity (article 321(a))
- War crimes against persons (article 321(b)).
- War crimes against property and other rights (article 321(c))
- War crimes against international missions and abuse of protection and symbols referring to the nationality. The article includes references to the protection of persons and property bearing the RC RC RC emblem under the Geneva Conventions and their additional protocols (Protocol I, II and III)
- War crimes of using prohibited methods of warfare (article 321(e))
- War crimes involving the use of prohibited means of warfare (article 321(f))
- Responsibility of superiors : generally (article 321(g)), violation of the duty of supervision (article 321 (h)), failure to report a crime (article 321(i))
- Act on orders (article 321(j))

Article 321(k) deals with crimes of aggression