

Financing terrorism

Art. 260quinquies 217

¹ Any person who collects or provides funds with a view to financing a violent crime that is intended to intimidate the public or to coerce a state or international organisation into carrying out or not carrying out an act is liable to a custodial sentence not exceeding five years or to a monetary penalty.

² If the person merely acknowledges the possibility that the funds may be used to finance terrorism, he does not commit an offence under this Article.

³ The act does not constitute the financing of a terrorist offence if it is carried out with a view to establishing or re-establishing a democratic regime or a state governed by the rule of law or with a view to exercising or safeguarding human rights.

⁴ Paragraph 1 does not apply if the financing is intended to support acts that do not violate the rules of international law on the conduct of armed conflicts.

Attack on the freedom of faith and the freedom to worship

Art. 261

Any person who publicly and maliciously insults or mocks the religious convictions of others, and in particularly their belief in God, or maliciously desecrates objects of religious veneration,

any person who maliciously prevents, disrupts or publicly mocks an act of worship, the conduct of which is guaranteed by the Constitution, or

any person who maliciously desecrates a place or object that is intended for a religious ceremony or an act of worship the conduct of which is guaranteed by the Constitution,

is liable to a monetary penalty not exceeding 180 daily penalty units.

Racial discrimination

Art. 261bis 218

Any person who publicly incites hatred or discrimination against a person or a group of persons on the grounds of their race, ethnic origin or religion,

any person who publicly disseminates ideologies that have as their object the systematic denigration or defamation of the members of a race, ethnic group or religion,

any person who with the same objective organises, encourages or participates in propaganda campaigns,

²¹⁷ Inserted by No I 1 of the Federal Act of 21 March 2003 (Financing of Terrorism), in force since 1 Oct. 2003 (AS **2003** 3043 3047; BBl **2002** 5390).

²¹⁸ Inserted by Art. 1 of the Federal Act of 18 June 1993, in force since 1 Jan. 1995 (AS **1994** 2887 2888; BBl **1992** III 269).

any person who publicly denigrates or discriminates against another or a group of persons on the grounds of their race, ethnic origin or religion in a manner that violates human dignity, whether verbally, in writing or pictorially, by using gestures, through acts of aggression or by other means, or any person who on any of these grounds denies, trivialises or seeks justification for genocide or other crimes against humanity,

any person who refuses to provide a service to another on the grounds of that person's race, ethnic origin or religion when that service is intended to be provided to the general public,

is liable to a custodial sentence not exceeding three years or to a monetary penalty.

Art. 262

Disturbing the
peace of the dead

1. Any person who desecrates the resting place of a dead person,

Any person who maliciously disrupts or desecrates a funeral procession or funeral ceremony,

Any person who desecrates or publicly insults a dead body,

is liable to a custodial sentence not exceeding three years or to a monetary penalty.

2. Any person who removes a dead body or part of a dead body or the ashes of a dead person against the will of those entitled thereto is liable to a custodial sentence not exceeding three years or to a monetary penalty.

Art. 263

Committing an
offence while in
a state of
voluntarily
induced mental
incapacity

¹ Any person who is incapable of forming criminal intent as a result of voluntarily induced intoxication through alcohol or drugs, and while in this state commits an act punishable as a felony or misdemeanour is liable to a monetary penalty not exceeding 180 daily penalty units.

² If the offender has, in this self-induced state, committed an act for which the only penalty is a custodial sentence, the penalty is a custodial sentence not exceeding three years or a monetary penalty.²¹⁹

²¹⁹ Amended by No II 1 para. 16 of the Federal Act of 13 Dec. 2002, in force since 1 Jan. 2007 (AS 2006 3459 3535; BBl 1999 1979).