

Cases and rulings

Country Code	Year	Reference details title	Reference details URL	Hate Bias motivation	Court / Body	Key facts of the case	Results (sanctions, outcome) and key consequences or implications of the case	Main reasoning / argumentation	Key issues (concepts, interpretations) clarified by the case	Key quotation in original language and translated into English with reference details
France	2016	France / Bobigny Court / Criminal judgment		Nationality	Bobigny Court (Tribunal de grande instance de Bobigny)	Ms. Zhang was followed by three people and was struck on the head; she fell to the ground and her bag was stolen from her. One of the perpetrators punched her brother-in-law in the left eye.	Two perpetrators were sentenced to a twelve month prison sentence and one perpetrator was sentenced to an eighteen month prison sentence for gang theft, with non-incapacitating violence on another person on the grounds of the race or the ethnic group of the victim, in this case the Asia-Pacific community.	Article 132-76 of the Criminal Code provides that the sentences incurred for a crime or an offence are increased when the offence committed is based on the membership or the non-membership, real or supposed, of the victim to an ethnic group, a nation, a race or a given religion. The aggravating circumstance in this case was not the object of any argument on behalf those accused. It was noted that the three persons accused had recently been found guilty over a recent period of several offences committed in a gang on victims of Asia-Pacific origin. The way the accused operated in the present case reveals selection and a prior identification of victims.	The conditions necessary for aggravating circumstances when the offence is committed on the grounds of the membership or of the non-membership, real or supposed, of the victim to an ethnic group, a nation, a race or a given religion.	"Le mobile raciste relatif à l'intention des auteurs présumés de l'infraction doit être analysé à l'aune du choix effectué le cas échéant de s'en prendre au membre de tel ou tel groupe, ou en raison de l'appartenance, vraie ou supposée, de la victime à ce même groupe ethnique, religieux, national." "The racist motive relating to the accused must be analyzed in light of the choice made, if this is the case, to attack a member of a certain group, or because of the membership, real or supposed, of the victim to this ethnic, religious, or national group."

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