

Criminal Code of France

(amended 2022, excerpts related to hate crime)

ARTICLE 132-76 [Aggravating circumstance provision (applicable to all crimes in the Code)]
(Inserted by Act no. 2003-88 of 3 February 2003 Art. 1 Official Journal of 4 February 2003) (Amended by Act of 27 January 2017 on equality and citizenship, in force since 1 March 2017.)

When a crime or offense is preceded, accompanied or followed by words, writings, images, objects or acts of any kind that are offensive to honor or consideration of the victim or group of persons of which the victim is a member by reason of his or her membership or non-membership, actual or supposed, of an alleged race, ethnic group, nation or particular religion, or establish that the acts have been committed against the victim for one of these reasons, the maximum of the custodial sentence incurred is raised as follows:

1. He is sentenced to life imprisonment when the offense is punishable by thirty years of criminal imprisonment;
2. It is brought to thirty years 'imprisonment when the offense is punished by twenty years' imprisonment;
3. It is brought to twenty years 'imprisonment when the offense is punishable by fifteen years' imprisonment;
4. It is brought to fifteen years 'imprisonment when the offense is punishable by ten years' imprisonment;
5. It is increased to ten years 'imprisonment when the offense is punishable by seven years' imprisonment;
6. It is increased to seven years 'imprisonment when the offense is punishable by five years' imprisonment;
7. It is doubled when the offense is punishable by up to three years' imprisonment.

This article is not applicable to the offenses provided for in articles 222-13, 225-1 and 432-7 of this Code, or in the seventh paragraph of Article 24, in the second paragraph of Article 32 and in the third paragraph of Article 33 of the law of 29 July 1881 on the freedom of the press.

ARTICLE 132-77 [Aggravating circumstance provision (applicable to all crimes in the Code)]
(Inserted by Act no. 2003-239 of 18 March 2003 Art. 47 Official Journal of 19 March 2003) (Amended by Act no. n° 2017-86 of 27 January 2017 on equality and citizenship, in force since 1 March 2017 and by act no. 2022-92 of 31 January 2022))

When a crime or offense is preceded, accompanied or followed by words, writings, images, objects or acts of any kind that are offensive to honor or consideration of the victim or group of persons of which the victim is a member by reason of his or her sex, sexual orientation or actual or supposed gender identity, or establish that the acts have been committed against the victim for one of these reasons, the maximum of the custodial sentence incurred is raised as follows:

1. He is sentenced to life imprisonment when the offense is punishable by thirty years of criminal imprisonment;
2. It is brought to thirty years 'imprisonment when the offense is punished by twenty years' imprisonment;
3. It is brought to twenty years 'imprisonment when the offense is punishable by fifteen years' imprisonment;
4. It is brought to fifteen years 'imprisonment when the offense is punishable by ten years' imprisonment;
5. It is increased to ten years 'imprisonment when the offense is punishable by seven years' imprisonment;
6. It is increased to seven years 'imprisonment when the offense is punishable by five years' imprisonment;
7. It is doubled when the offense is punishable by up to three years' imprisonment.

This article is not applicable to the offenses provided for in articles 222-13, [222-33](#), 225-1 and 432-7 of this Code, or in the eighth paragraph of Article 24, in the third paragraph of Article 32 and in the fourth paragraph of Article 33 of the law of 29 July 1881 on the freedom of the press.

[...]

Physical violence

ARTICLE 222-13

(Amended by Law n°2018-703 of 3 August 2018)

Acts of violence causing an incapacity to work of eight days or less or causing no incapacity to work are punished by three years' imprisonment and a fine of €45,000 where they are committed:

(...)

5°bis because of the victim's actual or supposed membership or non-membership of an ethnic group, nation, alleged race or particular religion;

5°ter because of the sex, sexual orientation or actual or supposed gender identity of the victim;

(...)