**UPR 27, May 4, 2017**

**Recommendations by Canada for India’s UPR**

Canada thanks India for its presentation and welcomes India’s efforts to strengthen justice for victims of sexual assault. We also commend the Supreme Court of India’s recognition of transgender persons.

Canada recommends that India:

1. Implement existing laws on all forms of violence and sexual violence against women and girls, including: “honour” crimes, female foeticide, and female infanticide; expand the definition of rape and sexual assault to include marital rape; and end harmful practices such as child, early and forced marriage.
2. Repeal Section 377 of the *Indian Penal Code* which criminalizes same-sex conduct between consenting adults and enact legislation consistent with the Supreme Court’s recognition of the rights of transgender persons.
3. Guarantee freedom of religion or belief by implementing existing laws to better protect individuals belonging to minority groups from hate speech, incitement to religious violence, discrimination on religious grounds and forcible conversions.
4. Guarantee freedom of expression, association, and peaceful assembly for all individuals and promote meaningful dialogue that embraces and allows freely organized advocacy of diverging views by civil society.

**Observations**

Canada notes with concern that since 2012, India has reinstated use of the death penalty. We urge India to establish an official moratorium on executions and work toward abolition of the death penalty. Canada expresses concern about continued caste-based discrimination, against, *inter alia*, Christian, Muslim, and Hindu Dalits. For example, non-Hindu Dalits are denied access to reservations (i.e. affirmative action) based on their religion.