

EXHIBIT 148

United Nations Human Rights Council

Expert Mechanism on the Rights of Indigenous Peoples, 3rd session

July 12 – 16, 2010, Geneva, Switzerland

Agenda Item 4, the United Nations Declaration on the Rights of Indigenous Peoples: Support for the 3rd UN Seminar on Treaties, Agreements and Other Constructive Arrangements between States and Indigenous Peoples

Global Indigenous Peoples Caucus Statement presented by Devasish Roy

The members of the Global Indigenous Peoples Caucus participating in the 3rd session of the UN Expert Mechanism on the Rights of Indigenous Peoples, representing all regions, note with appreciation the report presented here on the 2nd UN Seminar on Treaties Agreements and Other Constructive Arrangements held in November 2006 in the territories of the Maskwacis Cree in Alberta Canada.

In particular we want to express our support for its recommendation to hold to a 3rd United Nations Seminar on Treaties, Agreements and Other Constructive Arrangements between States and Indigenous Peoples, with the support and cooperation of the Office of the High Commissioner on Human Rights. We note with appreciation the invitation of the Maori of Aotearoa (New Zealand) in this regard. In this way, important advances can continue to be made regarding implementation, consideration of developments and good practices, and implications of the adoption of the UN Declaration on the Rights of Indigenous Peoples by the UN General Assembly. This includes the growing endorsement of the Declaration, including by UN member states that had voted against, or abstained from voting, during the adoption of the Declaration by the UN General Assembly.

The Global Indigenous Peoples Caucus takes this opportunity to affirm its support for the recommendations contained in the final report of **UN Study on Treaties, Agreements and Other Constructive Arrangements between States and Indigenous Populations** [E/CN.4/Sub.2/1999/20] by Special Rapporteur Dr. Miguel Alfonso Martinez. We look forward to continued work to advance their implementation in partnership with States and the UN system.

However, we also take this opportunity to state that we do not necessarily agree with certain provisions contained in the body of this report under the category of "Some Key Points of Departure", in which the validity of the claims of 'indigenoussness' by peoples within Asia and Africa were questioned. We again affirm the validity, soundness and relevance of the

recommendations contained in this report. However, we wish to put on record the right to self-identify of the Indigenous Peoples of Asia, Africa, Eastern Europe and all other regions. Equal application of the rights of Indigenous Peoples of all regions including Indigenous Peoples in Asia and Africa, is vital to take forward the process of implementing Treaties, Agreements and Other Constructive Arrangements on a global level.

Important advances have taken place in the international arena since the completion of this report including the adoption of the UN Declaration on the Rights of Indigenous Peoples and the growing participation of indigenous peoples' delegations, from Africa, Asia and other regions of the world in the UN Permanent Forum on Indigenous Issues, the Expert Mechanism on the Rights of Indigenous Peoples and in other UN and international fora including as expert members.

The development of human rights law is progressive. This is an underlying principle of international human rights law, as is the universal application of such rights without any form of discrimination.

The Global Caucus affirms the importance of the continued work on the matter of Treaties, Agreements and Other Constructive Arrangements for all Indigenous Peoples as well as for States and the UN System, based on the aforesaid Treaty Study but also looking forward in light of new developments and understandings.

We anticipate that the 3rd Seminar will be an important opportunity for all of us to advance this work. We look forward to discussing the provisions of the UN Declaration pertaining to implementation of Treaties, Agreements and other Constructive Arrangements. Also of particular interest for Indigenous Peoples of all regions will be discussions on the development of frameworks for negotiation, redress, restitution and conflict resolution, based on the affirmation in the Declaration's preamble that ***"treaties, agreements and other constructive arrangements, and the relationship they represent, are the basis for a strengthened partnership between indigenous peoples and States"***.

Thank you Mr. Chairman