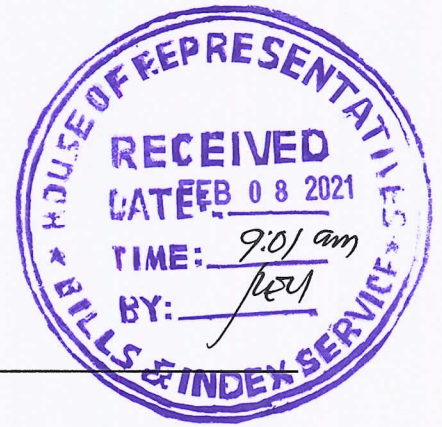




Eighteenth Congress
Second Regular Session

HOUSE RESOLUTION NO. 1549



Introduced by
REPRESENTATIVE LOREN B. LEGARDA

RESOLUTION URGING THE SPECIAL COMMITTEE ON CREATIVE INDUSTRY AND PERFORMING ARTS TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE ISSUE OF COUNTERFEIT GARMENTS APPROPRIATING WEAVE PATTERNS FROM THE CORDILLERA COMING INTO THE LOCAL MARKETS FROM ABROAD, WITH THE END IN VIEW OF STRENGTHENING PROTECTION OF THE INTELLECTUAL PROPERTY RIGHTS AND CULTURAL HERITAGE OF OUR INDIGENOUS PEOPLES AND COMMUNITIES

1 **WHEREAS**, a Philippine Daily Inquirer article published on 29 January 2021
2 reported that counterfeit Cordillera-woven blankets and garments coming from
3 abroad have flooded local markets, prompting local weavers to demand protection
4 from the government for their indigenous craft;¹

5 **WHEREAS**, Section 16 of Article 14 of the Philippine Constitution stipulates that the
6 country's artistic and historic wealth constitutes the cultural treasure of the nation
7 and shall be under the protection of the State, which may regulate its disposition;²

8 **WHEREAS**, such influx of counterfeit goods poses a risk to rural livelihoods of
9 indigenous cultural communities in terms of market competition and is also to the
10 detriment of sustaining their culture and creative productivity;

11 **WHEREAS**, there is a need to create a comprehensive cultural archive of cultural

¹ <https://newsinfo.inquirer.net/1389488/cordillera-weavers-seek-protection-vs-fake-fabrics>

² Philippine Constitution.

1 properties of the different ethno-linguistic groups of the country, to record, classify,
2 organize and protect them;

3 **WHEREAS**, Section 5 of Chapter 3 of the Indigenous Peoples' Right Act (IPRA)
4 notes that "indigenous concept of ownership generally holds that ancestral domains
5 are the indigenous cultural communities' (ICCs) / indigenous peoples' (IPs) private
6 but community property which belongs to all generations and therefore cannot be
7 sold, disposed or destroyed";

8 **WHEREAS**, Section 32 of Chapter 6 of the IPRA further declares that "ICCs/ IPs
9 have the right to practice and revitalize their own cultural traditions and customs. The
10 State shall preserve, protect and develop the past, present and future manifestations
11 of their cultures as well as the right to the restitution of cultural, intellectual, religious,
12 and spiritual property taken without their free and prior informed consent or in
13 violation of their laws, traditions and customs;"

14 **WHEREAS**, additionally, Section 2 of RA 8293, also known as the Intellectual
15 Property Code of the Philippines, underscores the importance of "an effective
16 intellectual and industrial property system [is] vital to the development of domestic
17 and creative activity, facilitates transfer of technology, attracts foreign investments,
18 and ensures market access for our products. It shall protect and secure the exclusive
19 rights of scientists, inventors, artists and other gifted citizens to their intellectual
20 property creations [...];'

21 **WHEREAS**, there is a need to revisit related laws on the protection of traditional
22 property rights of all our indigenous peoples wherever located;

23 **WHEREAS**, explicit systems, procedures, legal protections and remedies should be
24 made available and easily accessible to our indigenous peoples and communities
25 who are threatened by these imports;

1 **NOW THEREFORE, BE IT RESOLVED, AS IT IS HEREBY RESOLVED**, that the
2 Special Committee on Creative Industry and Performing Arts conduct an inquiry, in
3 aid of legislation, on the issue of counterfeit garments appropriating weave patterns
4 from our Indigenous Cultural Communities, specifically the Cordillera, coming into
5 local markets from abroad, with the end in view of strengthening protection of the
6 intellectual property rights and cultural heritage of our indigenous peoples and
7 communities.

8 *Adopted*



LOREN LEGARDA