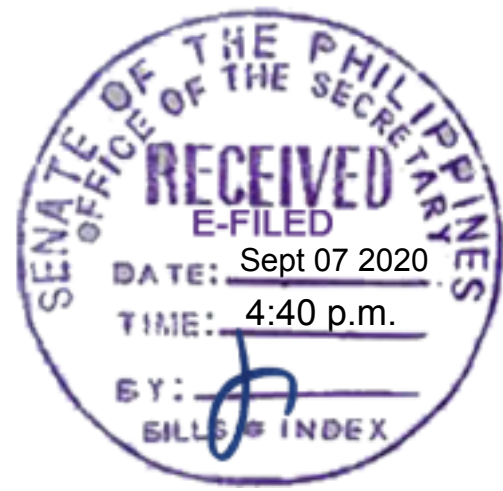


EIGHTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Second Regular Session)



SENATE
P.S. Resolution No. **517**

Introduced by **SENATOR IMEE R. MARCOS**

RESOLUTION
DIRECTING THE APPROPRIATE SENATE COMMITTEE TO CONDUCT AN
INQUIRY, IN AID OF LEGISLATION, INTO THE MISAPPROPRIATION OF
INDIGENOUS CULTURAL HERITAGE

WHEREAS, *Article II, Section 22* of the *1987 Constitution* provides that the State recognizes and promotes the rights of indigenous cultural communities within the framework of national unity and development;

WHEREAS, *Article XIV, Section 17* thereof provides that the State shall recognize, respect, and protect the rights of indigenous cultural communities to preserve and develop their cultures, traditions, and institutions;

WHEREAS, *Section 2* of *Republic Act No. 8371*, otherwise known as *The Indigenous Peoples' Rights Act of 1997*, mandates that the State shall institute and establish the necessary mechanisms to enforce and guarantee the realization of these rights, taking into consideration their customs, traditions, values, beliefs, interests and institutions, and to adopt and implement measures to protect their rights to their ancestral domains;

WHEREAS, “We will not be ascribed as a sandal’: IP leaders rage at use of ethnic groups’ names as footwear brands,” *Quitasol* (July 29, 2020), reported that fashion brand Tribu Nation was at the receiving end of the ire of indigenous peoples groups when it labeled its sandals “Kankana-ey,” which is the name of one of the major ethno-linguistic indigenous peoples in the Cordillera Administrative Region. Tribu Nation’s other footwear designs were named after other indigenous peoples groups, including Yakan of Basilan in Mindanao and Manobo of Northern Mindanao;

WHEREAS, indigenous peoples have similar experiences in the past. In October 2019, the Kalinga Tourism Services rebuked international lifestyle brand New Era Cap Co. for releasing its New Era x Whang-od collection. There was also a

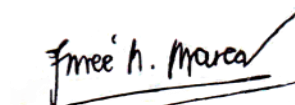
time when a T'boli community from Mindanao consented to the use of their T'nalak textile but thereafter became offended when they discovered that the sacred and spiritual cloth was used for shoes;

WHEREAS, Ms. Beverly Longid of the Cordillera People Advisory Council and first nominee of the Kabataan para sa Tribung Pilipino aptly expressed the sentiment of the indigenous peoples when she stated that "no one can claim ownership and exclusive use of our collective name as a people. It is for the concerned community, clan, or tribe to use as a collective identity. It is not a question of legal process and permission. Even the NCIP does not have the power to allow such use regardless if it has the legal authority to do so. Our identity as a people is not a brand for slippers regardless of quality. It is simply not a brand. It is not a subject of commerce. Our indigenous identity is not for sale.";

WHEREAS, there is a need to conduct an inquiry, in aid of legislation, to enact a law that will substantially reduce, if not totally eradicate, misappropriation of indigenous cultural heritage and will promote responsible branding, labeling, manufacturing, purchasing, and wearing of indigenous textiles and other products inspired by indigenous peoples' cultural heritage;

NOW THEREFORE, BE IT RESOLVED, AS IT IS HEREBY RESOLVED, directing the appropriate Senate committee to conduct an inquiry, in aid of legislation, into the misappropriation of indigenous cultural heritage.

Adopted,


IMEE R. MARCOS