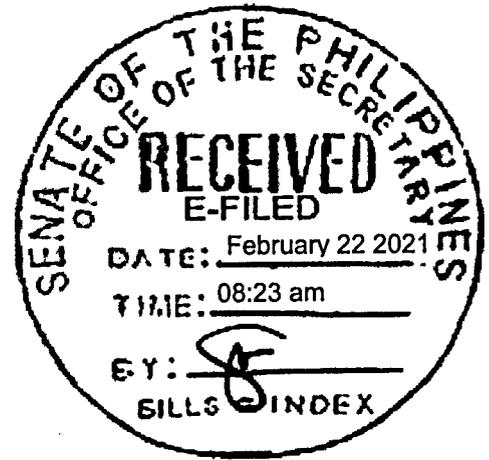


EIGHTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Second Regular Session)



SENATE

P.S. Res. No. 654

Introduced by SENATOR PIA S. CAYETANO

RESOLUTION

URGING THE APPROPRIATE COMMITTEES, TO CONDUCT A HEARING IN AID OF LEGISLATION, ON THE INFLUX OF COUNTERFEIT CORDILLERA-WOVEN BLANKETS AND GARMENTS IN THE PHILIPPINE LOCAL MARKET, WITH THE END GOAL OF PROTECTING THE SOURCE OF LIVELIHOOD, AUTONOMY, AND INDIGENOUS CRAFT OF LOCAL WEAVERS BY STRENGTHENING INTELLECTUAL PROPERTY RIGHTS AND PROTECTING THE CULTURAL HERITAGE OF INDIGENOUS PEOPLES

WHEREAS, Section 16, Article XIV of the 1987 Constitution provides that all the country's artistic and historic wealth constitutes the cultural treasure of the nation and shall be under the protection of the State which may regulate its disposition;

WHEREAS, Section 22, Article II 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, Section 29 of Republic Act No. 8371, or *The Indigenous People's Rights Act of 1997* (RA 8371) provides that the State shall respect, recognize and protect the right of Indigenous Cultural Communities or Indigenous Peoples (ICCs/IPs) to preserve and protect their culture, traditions and institutions-;

WHEREAS, Section 32 of RA 8371, in relation to Section 2 of Republic Act No. 8293, as amended, or the *Intellectual Property Code of the Philippines*, provides that ICCs/IPs have the right to practice and revitalize their own cultural traditions and customs. The State shall preserve, protect and develop the past, present and future manifestations of their cultures as well as the right to the restitution of cultural, intellectual, religious, and spiritual property taken without their free and prior informed consent or in violation of their laws, traditions and customs;

WHEREAS, Article 2, Title I of Republic Act No. 7394, or the *Consumer Act of the Philippines* provides that it is the policy of the State to protect the interests of the consumer, promote his general welfare and to establish standards of conduct for business and industry;

WHEREAS, there have been reports that the intellectual property rights, as well as the livelihood, of native Cordillera Weavers, are being threatened and violated, in light of the influx of counterfeited Cordillera-woven blankets and garments from China¹;

WHEREAS, these counterfeited cordillera-woven blankets and garments have flooded the Philippine local markets - from Benguet to Bontoc, Kalinga and Apayao, and are now being sold at a low price, endangering the local woven fabric industry and misrepresenting to consumers that these counterfeited goods are made by native weavers;

WHEREAS, the Cordillera Weavers are in dire need of protection from the government to preserve their intellectual property rights over the designs, color, and arrangement of patterns woven on their fabrics, as the propagation of these counterfeited products are detrimental to the cultural sustainability and creative productivity of our Indigenous Peoples;

¹ Seamless transition of Cordillera weaving (2020); Article can be accessed at <https://newsinfo.inquirer.net/1211779/reviving-ancient-cordillera-textiles#ixzz6m8OQsUgk>.

WHEREAS, there is an urgent need to revisit and strengthen the laws on the Intellectual Property Code of the Philippines, Consumer Protection Act, and the Indigenous Peoples' Rights Act;

WHEREAS, the respective government offices, such as the National Commission on Indigenous Peoples (NCIP), Intellectual Property Office (IPO), Bureau of Customs (BOC), Department of Trade and Industry (DTI), among others, tasked to implement laws, rules, and regulations relative to this incident should take immediate action to protect the Cordillera Weavers' rights, including other native weavers, and the consumers, who should not be misled in buying counterfeit goods;

NOW, THEREFORE, BE IT RESOLVED, to urge the appropriate committees, to conduct a hearing, in aid of legislation, on the influx of counterfeit Cordillera-woven blankets and garments in the Philippine local market, with the end goal of protecting the source of livelihood, autonomy, and indigenous craft of local weavers by strengthening intellectual property rights and protecting the cultural heritage of Indigenous Peoples.

Adopted,


PIA S. CAYETANO