

Heritage Conservation Advocates

November 6, 2007

The Honorable Constantino Jaraula
Mayor, City Hall
Cagayan de Oro City

Subject: Protection and Preservation of Huluga

Dear Mayor Jaraula:

We are disappointed and angry to learn about the continuous quarrying in Huluga despite your promise to protect it.

A week after our meeting in August, several people used spades, trucks and a backhoe to remove earth from Obsidian Hill. The backhoe is owned by NLVDC, a construction firm. Its garage is 50 meters away from the hill. The backhoe driver said the Gales family gave order to do quarrying. Another hill near the bridge is also being levelled. We sent a text message to Erwin Culanag of the City Information Office, asking him to tell you about this violation, but nothing changed.

Last week, the Heritage Conservation Advocates (HCA) received a certificate of deputization from the National Museum. This document gives the HCA the authority "to act for an in behalf" of the National Museum in the implementation of PD 374. In response to this important task, we strongly urge you to

- 1) stop the suspects from further destroying Huluga,
- 2) instruct the city legal officer to file a case against the suspects,
- 3) fence Obsidian Hill and other areas in Huluga in consultation with the HCA,
- 4) plant signs that prohibit extractive activities in Huluga and that warn of possible prosecution, and



5) assign dedicated and competent policemen or barangay tanods, or both, to guard Huluga and other nearby sites identified by the HCA.

There is sufficient legal ground for you to take such actions. Article IV of the 1987 Philippine Constitution states: "Section 15. Arts and letters shall enjoy the patronage of the State. The State shall conserve, promote, and popularize the nation's historical and cultural heritage and resources, as well as artistic creations. Section 16. 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."

These provisions are the basis for RA 4846, also known as the "Cultural Properties Preservation and Protection Act", later amended by PD 374. Chapter 1, Section 16 of the Local Government Code also states that " ... local government units shall ensure and support, among other things, the preservation and enrichment of culture"

We are constantly in touch with Atty. Rose Beatrix "Trixie" Angeles, who is the commissioner of the National Commission of Culture and Arts (NCCA). She is also the legal consultant of the National Museum. From her, we learned that you have sufficient legal basis to take strong, decisive action to protect and preserve Huluga and other archaeological sites. She can be consulted directly by cell phone. You may ask her about how to reconvert Huluga into public land. Please call me if you want her number. Exercise your authority as city executive, without fear or favor. We need action, courage, and leadership.

Yours sincerely,



Dr. Erlinda M. Burton
President, Heritage Conservation Advocates
Phone: 723116, local 2403
Cell: 0917-3493-036

Curator, Museo de Oro
Xavier University, Cagayan de Oro City

2 incls:

Copy of Certificate of Deputization from the National Museum
Copy of Presidential Decree 374

cc:

Congressman Rufus Rodriguez
12th Street, Nazareth Subdivision
Cagayan de Oro City



0408
Nov. 6, 07

NATIONAL MUSEUM OF THE PHILIPPINES
MANILA, PHILIPPINES

CULTURAL PROPERTIES DEPUTY

In accordance with the authority vested in me by the provisions of Presidential Decree No. 374, which amended Republic Act No. 4846, otherwise known as the "Cultural Properties Preservation and Protection Act" of 1966, and in conformity with Rule X of the Rules and Regulations for the implementation of the Decree referred to

Heritage Conservation Advocates
Cagayan de Oro City

Is hereby deputized by the National Museum of the Philippines to act for and in behalf of this institution in the implementation of the provisions of P.D. No. 374 in the **Islands of Mindanao** from *October 19, 2007 to December 31, 2007*.

GUIDELINES

1. Safeguard the interest of the government herein represented by the National Museum by reporting immediately activities related to the excavation of archaeological artifacts.
2. Verification of sites through written communication from the National Museum.
3. Honor claims (site findings) of first discoverer as first claimant.
4. Represent the National Museum on matters related to the archaeological (underwater) sites.
5. Inform people re: Laws on Antiquities, viz. P.D. 374.

NOTE: SURVEY / EXPLORATION / EXCAVATION of archaeological or historical sites may be referred to the Director of the National Museum, Manila. Permits to survey, explore and excavate will be issued by the National Museum upon submission of the requirements per Implementing Rules and Regulations of P.D. 374

This appointment does not include authority to excavate or dive for archaeological artifacts


CORAZON S. ALVINA
Director IV