

****Title:**** Secretary of National Defense v. Manalo: The First Writ of Amparo Case in the Philippines

****Facts:****

The case centers on the enforced disappearance of brothers Raymond and Reynaldo Manalo, who were abducted from their home in San Ildefonso, Bulacan, on February 14, 2006, by members of the Armed Forces of the Philippines (AFP) and the Citizens Armed Forces Geographical Unit (CAFGU). They were subjected to torture and were detained in various military facilities. Their ordeal ended when they escaped on August 13, 2007. During their captivity, they were kept under deplorable conditions, constantly threatened, and tortured.

Upon their escape, the Manalo brothers filed a petition for a writ of amparo before the Supreme Court, marking it the first petition of its kind filed under the newly promulgated Rule on the Writ of Amparo, which took effect on October 24, 2007. The petition, initially filed as a petition for Prohibition, Injunction, and Temporary Restraining Order, was subsequently treated as an Amparo petition, seeking to compel the military to release any information regarding their abduction and to ensure their safety moving forward.

****Issues:****

1. Whether the right to life, liberty, and security of Raymond and Reynaldo Manalo was violated through their abduction, detention, and torture by members of the military and CAFGU.
2. Whether there was a failure on the part of the state to conduct an effective investigation into their abduction and torture.
3. The propriety of the reliefs granted by the Court of Appeals, including the submission of investigation reports and documents related to their captivity and the medical treatment they received.

****Court's Decision:****

The Supreme Court affirmed the decision of the Court of Appeals, recognizing the violation of the Manalo brothers' rights to life, liberty, and security. It upheld the issuance of the writ of amparo based on substantial evidence presented, including the detailed accounts of their abduction, detention, and torture, as well as their eventual escape.

The Court found the Philippine military's investigation into the abduction insufficient and lacking in depth, emphasizing the state's duty to protect its citizens and ensure

accountability for violations of their fundamental rights. The Court also upheld the reliefs granted by the Court of Appeals, noting their relevance to the victims' right to security and the state's obligation to investigate human rights abuses thoroughly.

****Doctrine:****

The case established the writ of amparo as a vital legal remedy for victims of enforced disappearances and extrajudicial killings in the Philippines. It underscored the state's responsibility to protect its citizens' rights to life, liberty, and security and to conduct effective investigations into violations of these rights.

****Class Notes:****

1. ****Writ of Amparo****: A remedy available to any person whose right to life, liberty, and security has been violated or threatened with violation by an unlawful act or omission of a public official, employee, or a private individual or entity.
2. ****Substantial Evidence****: The amount of relevant evidence that a reasonable mind might accept as adequate to support a conclusion.
3. ****Right to Security****: Includes freedom from fear of threats to life, liberty, and security of person, and freedom from torture and cruel, inhuman, or degrading treatment.
4. ****State's Duty to Protect****: The state has the obligation to protect its citizens from human rights abuses, to conduct effective investigations, and to hold perpetrators accountable.

****Historical Background:****

The enactment of the Rule on the Writ of Amparo in 2007 was a significant legal development in the Philippines, intended to address the increasing number of extrajudicial killings and enforced disappearances. This case, being the first under the new rule, set a precedent for future cases involving human rights violations, emphasizing the state's duty to protect its citizens and ensure accountability for abuses against them.