

### Title:

Republic of the Philippines v. Regina N. Cayanan and SPO1 Rolando V. Pascua

### Facts:

Regina N. Cayanan filed a petition for habeas corpus claiming her husband, Pablo A. Cayanan, was illegally detained by operatives of the CIDG, led by SPO1 Rolando V. Pascua, without an arrest warrant on July 9, 2007. Despite demands, CIDG did not produce Pablo, who had since been missing. The CIDG received the petition on August 21, 2007, and filed a return denying custody of Pablo. The petition was amended to seek a writ of amparo on October 24, 2007, which the RTC granted. CIDG and Pascua submitted comments opposing the writ. Regina also moved for a temporary protection order, granted on November 6, 2007. Pascua failed to appear, citing illness and a desire to protect his identity in a separate criminal case. The RTC maintained the writ of amparo, ordering continued investigation and making protection orders permanent. The CIDG's motion for reconsideration was denied, leading them to appeal to the Supreme Court.

### Issues:

1. Whether or not sufficient evidence supported the grant of the writ of amparo by the RTC.
2. Whether or not the CIDG discharged its duty as required by the Rule on the Writ of Amparo.
3. Whether or not the petition for the issuance of the writ of amparo was defective.
4. Whether or not the issuance of the writ of amparo by the RTC impaired Pascua's right to the presumption of his innocence.

### Court's Decision:

The Supreme Court denied the petition for review, affirming the issuance of the writ of amparo. It found substantial evidence to warrant the writ, determined the CIDG did not observe the extraordinary diligence required, rejected the contention that the amparo petition was defective, and concluded that the writ's issuance did not affect Pascua's presumption of innocence. The Court underscored the relaxed evidentiary standard under the writ of amparo, considering the nature of enforced disappearances, and mandated a thorough investigation into the disappearance of Pablo A. Cayanan.

### Doctrine:

The Supreme Court reiterated that in writ of amparo cases, substantial evidence is sufficient to establish the allegations of enforced disappearance. A respondent public official or employee must observe an extraordinary degree of diligence in the performance of duty.

The Rule on the Writ of Amparo aims to provide immediate remedies to address threats or actual violations of life, liberty, and security, separate from criminal proceedings which determine guilt or innocence.

### Class Notes:

- In writ of amparo proceedings, the court applies a substantial evidence standard.
- Respondent public officials are held to a standard of extraordinary diligence.
- The writ of amparo encompasses enforced disappearances or threats thereof to life, liberty, and security.
- The Rule on the Writ of Amparo does not determine criminal guilt but provides a remedy against violations or threats of violations to personal safety.

### Historical Background:

The Rule on the Writ of Amparo was adopted in the Philippines drawing inspiration from similar promulgations in Latin American countries, tailored to address the peculiar context of enforced disappearances and extrajudicial killings in the country. This case magnifies the mechanism's role in compelling state actors to fulfill their duties in protecting the rights and safety of individuals against such violations.