

### Title: Spouses Rozelle Raymond Martin and Claudine Margaret Santiago vs. Raffy Tulfo, Ben Tulfo, and Erwin Tulfo

### Facts:

On May 6, 2012, petitioners, Rozelle Raymond Martin and Claudine Margaret Santiago, experienced a luggage mishap at NAIA 3, leading to a physical altercation with Ramon “Mon” Tulfo. Subsequent aired threats on TV by Tulfo’s brothers prompted the petitioners to file for a writ of amparo on May 11, 2012. The RTC issued a TPO but later dismissed the amparo petition, stating it only applies to extralegal killings and enforced disappearances, a ruling upheld upon reconsideration, hence the review petition to the Supreme Court.

### Issues:

1. Whether the writ of amparo is limited to extrajudicial killings, enforced disappearances, or threats thereof.
2. Whether the RTC properly dismissed the amparo petition based on its scope.

### Court’s Decision:

The Supreme Court denied the petition, reaffirming that the writ of amparo is confined to addressing and preventing extralegal killings, enforced disappearances, or threats thereof. The Court emphasized that the application of the writ should be limited to cases with government participation in said acts, implicating a public official’s direct or indirect involvement. Thus, the RTC’s dismissal of the petition was deemed proper as the case at hand lacked an allegation of government participation and did not fall within the intended scope of the writ of amparo.

### Doctrine:

The writ of amparo is specifically designed to address cases of extralegal killings, enforced disappearances, or threats thereof, necessitating a substantial demonstration of government participation. This limitation aligns with the writ’s original purpose of protecting constitutional rights against abuses primarily perpetrated or condoned by state actors.

### Class Notes:

- **\*\*Writ of Amparo\*\***: Special remedy aimed at addressing human rights violations involving extralegal killings, enforced disappearances, or threats thereof, specifically requiring government participation.
- **\*\*Government Participation\*\***: A necessary element for the application of a writ of amparo, indicating either direct or indirect involvement of state actors.

- **\*\*Scope of Protection\*\***: Amparo is limited to safeguarding against specific human rights abuses, namely extralegal killings and enforced disappearances, underscoring the importance of demonstrating a violation within these confines for the writ to apply.

**### Historical Background:**

The Philippine writ of amparo was established reactionally to a series of extralegal killings and enforced disappearances, aiming to provide remedial measures for victims and their families against abuses, particularly those involving state actors. Modeled in part after similar legal instruments in Latin American countries, its primary purpose is to counter and prevent human rights violations, cementing the judiciary's role in safeguarding constitutional rights against abuses by government officials or entities.