FIRST DIVISION

[G.R. No. 252606. April 02, 2025]

PEOPLE OF THE PHILIPPINES, PLAINTIFF-APPELLEE, VS. XXX* ACCUSED-APPELLANT.

D E C I S I O N

MARQUEZ, J.:

Trafficking of minors and sexual exploitation of children where trafficked children are forced to endure, among others, sexual, mental, physical, and psychological pain and sufferings, have no place in our society. These have to be stopped soonest and their perpetrators must suffer the full extent of the law. Nothing less.

Accused-appellant XXX is before this Court, appealing his conviction for violation of Section 6(a) of Republic Act No. 9208[1] or the Anti-Trafficking in Persons Act of 2003, as amended by Republic Act No. 10364[2] or the Expanded Anti-Trafficking in Persons Act of 2012, for which he was sentenced to suffer life imprisonment.[3]

XXX was charged with violation of Section 6(a) of Republic Act No. 9208, as amended, in five similarly worded Informations, save for the name of the victims and the dates of incidents, allegedly committed as follows:

> Criminal Case No. 23144-[2014]-C
>
> "That on or about April 19, 2013 in the City of Calamba, Province of Laguna and within the jurisdiction of this Honorable Court, the above-named accused, did then and there willfully, unlawfully and criminally recruit [14-year-old] minor AAA by means of taking advantage of the vulnerability of said minor or the giving or receiving of payments or benefits to achieve the consent of the said minor for the purpose of prostitution or sexual exploitation to the damage and prejudice of the said minor complainant.
>
> CONTRARY TO LAW."[4]
>
> Criminal Case No. 23145-[2014]-C
>
> "That on or about April 27, 2013 in the City of Calamba, Province of

Laguna and within the jurisdiction of this Honorable Court, the above-named accused, did then and there willfully, unlawfully and criminally recruit [14-year-old] minor AAA by means of taking advantage of the vulnerability of said minor or the giving or receiving of payments or benefits to achieve the consent of the said minor for the purpose of prostitution or sexual exploitation to the damage and prejudice of the said minor complainant.

CONTRARY TO LAW."[5]

Criminal Case No. 23146-2014-C

"That sometime in February 2013 in the City of Calamba, Province of Laguna and within the jurisdiction of this Honorable Court, the above-named accused, did then and there willfully, unlawfully and criminally recruit [14-year-old] minor BBB by means of taking advantage of the vulnerability of said minor or the giving or receiving of payments or benefits to achieve the consent of the said minor for the purpose of prostitution or sexual exploitation to the damage and prejudice of the said minor complainant.

CONTRARY TO LAW."[6]

Criminal Case No. 23147-[2014]-C

"That on or about March 17, 2013 in the City of Calamba, Province of Laguna and within the jurisdiction of this Honorable Court, the above-named accused, did then and there willfully, unlawfully and criminally recruit [14-year-old] minor AAA by means of taking advantage of the vulnerability of said minor or the giving or receiving of payments or benefits to achieve the consent of the said minor for the purpose of prostitution or sexual exploitation to the damage and prejudice of the said minor complainant.

CONTRARY TO LAW."[7]

Criminal Case No. 23148-[2014]-C

"That sometime in February 2013 in the City of Calamba, Province of Laguna and within the jurisdiction of this Honorable Court, the above-named accused, did then and there willfully, unlawfully and criminally recruit [14-year-old] minor AAA by means of taking advantage of the vulnerability of said minor or the giving or receiving of payments or benefits to achieve the consent of the said minor for the purpose of prostitution or sexual exploitation to the damage and prejudice of the said minor complainant.

CONTRARY TO LAW."[8]

In separate Informations, XXX's co-accused, YYY and ZZZ, were likewise charged with violation of Section 11 of Republic Act No. 9208, as amended, for use of trafficked persons.[9]

During arraignment, XXX, YYY, and ZZZ pleaded not guilty to the charges. Thereafter, joint trial ensued.[10]

The prosecution presented AAA, who testified that she was only 14 years old when she started working for XXX. As proof of her minority, AAA presented her Certificate of Live Birth. On February 3, 2013, a certain CCC fetched AAA at her grandmother's house and asked AAA to accompany her to the town plaza. When they were at the town plaza, CCC introduced AAA to XXX, who treated them to a meal. After finishing their meal, XXX brought AAA to his house where he ordered AAA to take off her clothes. AAA refused but CCC threatened her. AAA was scared and had no other choice but to let XXX abuse her by kissing her from her neck down to her private parts. Thereafter, XXX told her to put on her clothes. AAA saw XXX pay CCC.[11]

Sometime in February 2013, at around 6 p.m., CCC again asked AAA to accompany her to the town plaza. At the town plaza, XXX informed AAA that a certain "*kapitan*" will be her client, later identified as ZZZ. AAA refused but, out of fear, she consented. At around 2 a.m., AAA, together with XXX and CCC, waited for ZZZ at the back of St. John the Baptist Church. AAA was crying and hesitant, but CCC threatened to maul her. ZZZ arrived and paid FHP 700.00 for AAA's services. Thereafter, ZZZ and AAA boarded a motorcycle and proceeded to the Diamond Court Hotel. ZZZ ordered AAA not to remove her helmet as they entered the premises since minors were not allowed inside the hotel. When they were inside the room, ZZZ ordered AAA to take a bath and wrap herself with a towel. After ZZZ took a bath, he ordered AAA to lie on the bed and to take off her towel. ZZZ then laid on top of AAA and kissed her neck, breast, and abdomen. After AAA's ordeal, ZZZ ordered her to put on her clothes and wear the helmet again.[12] AAA suffered the same sexual encounter with YYY on April 27, 2013 when she was brought to a poultry farm where YYY "used her" and paid FHP 600.00 for her services.[13] Then, in March 2013, ZZZ again paid to bring AAA to the Andrea Hotel. There, ZZZ asked AAA to take a bath. ZZZ also took a bath and laid next to AAA just like the first time.[14]

AAA also stated that on March 17, 2013, she and XXX were eating at the old *palengke* when YYY arrived. Thereafter, she and YYY went to Angel's Nest Hotel where YYY asked her to take a bath and lie on the bed. YYY then kissed her and inserted his penis inside her vagina until he ejaculated. Also, on April 19, 2013, XXX brought AAA to a certain "*Kalbo*." *Kalbo* and AAA went inside a *nipa* hut where AAA was asked to undress and lie on the bed. Thereafter, *Kalbo* kissed her and inserted his penis inside her vagina until he ejaculated. When the ordeal was finished, *Kalbo* gave AAA PHP

600.00.[15]

AAA testified that XXX and CCC worked together. XXX brokered the deals and escorted her to the place where she would have sexual encounters.[16]

The prosecution then presented BBB, who was 14 years old at the time. She testified that in February 2013, around 1 a.m., XXX and CCC introduced her to ZZZ at the Andrea Hotel. BBB refused but XXX threatened not to feed her if she would not agree. BBB sobbed while she recounted that ZZZ brought her to one of the rooms and ordered her to lie on the bed. He then kissed her on the lips, neck, and breast, and BBB was not able to resist because ZZZ had a gun, which he placed on the table. He then inserted his penis inside BBB's vagina. After satisfying his lust, ZZZ ejaculated on BBB's stomach. Thereafter, BBB put on her clothes then ZZZ paid her PHP 1,000.00 and advised her not to give the money to XXX because the latter was already paid.[17]

XXX denied the charges against him. He claimed that AAA and BBB were merely taking their revenge on him for refusing to escort them to the Andrea Hotel after the two failed to pay their fares.[18]

YYY and ZZZ also denied the charges against them. ZZZ claimed that the charge against him was politically motivated to destroy his candidacy.[19]

On September 26, 2017, the Regional Trial Court (RTC) found XXX and his co-accused, YYY and ZZZ, guilty beyond reasonable doubt of violations of Sections 6(a) and 11 of Republic Act No. 9208, as amended.[20] The trial court ruled that the prosecution was able to prove the elements of the crimes charged. XXX, with the help of CCC, was able to lure AAA and BBB to engage in an illicit sex trade. Both AAA and BBB were able to positively identify YYY and ZZZ as their clients.[21] Thus:

> **WHEREFORE**, guided by the foregoing mandates of Republic Act [No.] 9208, and the prosecution's evidence having established the GUILT of accused XXX beyond reasonable doubt for violation of Section 6(a) of Republic Act [No.] 9208, the Court hereby sentences him to suffer LIFE IMPRISONMENT and to pay the fine of [PHP 2 million] with subsidiary imprisonment in case of insolvency and [PHP 500,000.00] as moral damages and [PHP 100,000.00] as exemplary damages.
>
> Similarly, the prosecution's evidence having established the GUILT of accused YYY beyond reasonable doubt for [v]iolation of Section 11 of Republic Act [No.] 9208, the Court hereby sentences him to [six months] of community service and a fine of [PHP 50,000.00].
>
> Finally, the prosecution's evidence having established the GUILT of accused ZZZ beyond reasonable doubt for [v]iolation of Section 11 of Republic Act [No.] 9208, the Court hereby sentences him to [six months] of community service and a fine of [PHP 15,000.00] for each count of violation of Section

11 of [Republic Act No.] 9208 in Criminal Case Nos. 23149-2014-C, 23150-2014-C, and 23151-2014-C.

SO ORDERED.[22] (Emphasis in the original)

In the Order[23] dated September 28, 2017, the RTC modified the amount of fine in the dispositive portion of the Decision, as follows:

WHEREFORE, guided by the foregoing mandates of Republic Act [No.] 9208, and the prosecution's evidence having established the GUILT of accused XXX beyond reasonable doubt for violation of Section 6(a) of Republic Act [No.] 9208, the Court hereby sentences him to suffer LIFE IMPRISONMENT and to pay the fine of [PHP 2 million] with subsidiary imprisonment in case of insolvency and [PHP 500,000.00] as moral damages and [PHP 100,000.00] as exemplary damages.

Similarly, the prosecution's evidence having established the GUILT of accused YYY beyond reasonable doubt for [v]iolation of Section 11 of Republic Act [No.] 9208, the Court hereby sentences him to [six months] of community service and a fine of **[PHP 15,000.00]**.

Finally, the prosecution's evidence having established the GUILT of accused ZZZ beyond reasonable doubt for [v]iolation of Section 11 of Republic Act [No.] 9208, the Court hereby sentences him to [six months] of community service and a fine of [PHP 15,000.00] for each count of violation of Section 11 of [Republic Act No.] 9208 in Criminal Case Nos. 23149-2014-C, 23150-2014-C, and 23151-2014-C.

SO ORDERED.[24] (Emphasis in the original)

Only XXX appealed his conviction.

On September 23, 2019, the Court of Appeals (CA) affirmed the RTC Decision but modified the penalty by including legal interest of 6% per annum on all the monetary awards. The CA held that the prosecution established the presence of all the elements of the crime.[25] Thus:

WHEREFORE, the *Appeal* is hereby **DENIED**. The *Decision* dated [September 26, 2017] of the Regional Trial Court, 4th Judicial Region, Calamba City, Laguna, Branch 36, in Crim. Case Nos. 23144-2014-C, 23145-2014-C, 23146-2014-C, 23147-2014-C, and 23148-2014-C, is **AFFIRMED with the following MODIFICATIONS**:

In **Criminal Case Nos. 23144-2014-C, 23145-2014-C, 23147-2014-C**, and **23148-2014-C**, accused-appellant XXX is found **GUILTY** beyond reasonable doubt of the crime of *Qualified Trafficking in Persons* defined and penalized under Section 6(a) of Republic Act No. 9208, otherwise

known as the *Anti-Trafficking in Persons Act of 2003*, as amended. Accordingly, he is sentenced to suffer the penalty of life imprisonment for each of the four counts, and to pay the victim **AAA**:

1) Fine in the amount of [PHP 2 million] **for each of the four counts** of *Qualified Trafficking in Persons*;

2) [PHP 500,000.00] by way of moral damages and [PHP 100,000.00] by way of exemplary damages **for each of the four counts** of *Qualified Trafficking in Persons*; and

3) Legal interest at the rate of [6% per annum] on all monetary awards from finality of judgment until fully paid.

In **Criminal Case No. 23146-2014-C**, accused-appellant XXX is found **GUILTY** beyond reasonable doubt of the crime of *Qualified Trafficking in Persons* defined and penalized under Section 6(a) of Republic Act No. 9208, otherwise known as the *Anti-Trafficking in Persons Act of 2003*. Accordingly, he is sentenced to suffer the penalty of life imprisonment and to pay the victim **BBB**:

1) Fine in the amount of [PHP 2 million];

2) [PHP 500,000.00] by way of moral damages and [PHP] 100,000.00 by way of exemplary damages; and

3) Legal interest at the rate of [6% per annum] on all monetary awards from finality of judgment until full payment.

SO ORDERED.[26] (Emphasis in the original)

After a careful perusal of the case, the instant appeal must be dismissed. Accused-appellant XXX simply failed to sufficiently show any reversible error in the assailed CA Decision.

For a successful prosecution of trafficking in persons, the Court reiterated in *People v. Estonilo*[27] that the following elements must be shown: (a) the act of recruitment, transportation, transfer or harboring, or receipt of persons with or without the victim's consent or knowledge, within or across national borders; (b) the means used which include threat or use of force, or other forms of coercion, abduction, fraud, deception, abuse of power or of position, taking advantage of the vulnerability of the person, or, the giving or receiving of payments or benefits to achieve the consent of a person having control over another; and (c) the purpose of trafficking is exploitation, which includes exploitation or the prostitution of others or other forms of sexual exploitation, forced labor or services, slavery, servitude, or the removal or sale of organs.[28]

Section 6(a) of Republic Act No. 9208, as amended, provides that when the person

trafficked is a child, the crime shall be qualified. In this case, AAA and BBB both established their minority by presenting their Certificates of Live Birth during the trial.[29] As such, accused-appellant is properly charged with qualified trafficking in persons.

To overturn his conviction, accused-appellant questions the credibility of both victims by alleging that the prosecution failed to establish his guilt since the testimonies of AAA and BBB were incredible. AAA claimed in her sworn statement that CCC is her friend, but during her testimony, AAA contradicted herself and claimed that CCC is not her friend. Also, based on the testimonies of AAA, it was not established that he recruited AAA and facilitated her sexual encounters with ZZZ and YYY.[30] Accused-appellant also questioned AAA's failure to report the alleged pimping activities to her grandmother and her siblings. Further, it is contrary to common sense and human experience for a person who is subjected to sexual molestation to still ask the molester and pimp to let her stay and live in his house.[31]

At the outset, it is settled that "findings of the trial court, which are factual in nature and involve the credibility of witnesses, are accorded with respect, if not finality, by the appellate court when no glaring errors, gross misapprehension of facts, and speculative, arbitrary, and unsupported conclusions can be gathered from such findings".[32] As explained in *People v. Lim*,[33] the trial judge is in a better position to ascertain the conflicting testimonies of witnesses after having heard them and observed their deportment and mode of testifying during the trial.[34] Both the RTC and the CA found that AAA and BBB were straightforward and positively identified accused-appellant as the one who arranged their prostitution activities. It was also established that accused-appellant accompanied the victims to the hotel where they would engage in sexual activities.

A judicious review of the records of the case shows that the prosecution was able to prove all the elements of the crime of qualified trafficking in persons. First, accused-appellant with the help of CCC: (1) arranged and booked the sexual activities of AAA and BBB with ZZZ and YYY; (2) accompanied the victims to the hotel where they would engage in sexual activities; (3) collected fees for the victims' services; and (4) picked up the victims at the hotel after the transaction was done.[35] Second, accused--appellant took advantage of the vulnerability of the minor victims. AAA and BBB were forced to engage in the illegal sex trade upon assurance of financial benefits and provisions for shelter and food.[36] From the foregoing, it is clear that accused-appellant's purpose is to exploit the minor victims and to force them to engage in prostitution.

Accused-appellant's denial cannot outweigh the direct, positive, and categorical identification of the victims that he pimped them to ZZZ and YYY. A bare denial will not prevail especially since accused-appellant failed to substantiate his defense of denial.[37] Be it noted that testimonies of child-victims are given full weight and credit since youth and immaturity are generally badges of truth.[38]

As to the penalty, Section 10(e) of Republic Act No. 9208, as amended, provides that persons found guilty of qualified trafficking shall suffer the penalty of life imprisonment and a fine of not less than PHP 2 million but not more than PHP 5 million for each count. Thus, the penalty of life imprisonment and a fine of PHP 2 million for each count is correct.

However, the penalty should be modified to clarify that the fine of PHP 2 million is not payable to the victim but treated as a trust fund to be managed by the Inter-Agency Council Against Trafficking pursuant to Section 15[39] of Republic Act No. 9208, as amended.

The damages awarded are affirmed since the same are consistent with prevailing jurisprudence on the matter.[40] The modification on the penalty to include legal interest of 6% per annum is also rightfully imposed on all damages awarded, counted from the finality of the judgment until its full payment.[41]

The courts can only do so much in trafficking in persons and sexual exploitation of children cases as the courts can only act when cases are filed before them. While the courts must ensure that these cases should be addressed promptly, and offenders are brought to justice, so too must it be recognized that the real groundwork starts with the law enforcement and the prosecution. And while the courts have to be independent of law enforcement and the prosecution, all concerned stakeholders have to be interdependent of each other to put an end to this horrible crime preying on our children.

ACCORDINGLY, the appeal is **DISMISSED** and the Decision dated September 23, 2019 of the Court of Appeals in CA-G.R. CR-HC No. 10164 is **AFFIRMED with MODIFICATIONS**.

In Criminal Case Nos. 23144-2014-C, 23145-2014-C, 23147-2014-C, and 23148-2014-C, accused-appellant XXX is found **GUILTY** beyond reasonable doubt of four counts of qualified trafficking in persons defined and penalized under Section 6(a) of Republic Act No. 9208, or the Anti-Trafficking in Persons Act of 2003, as amended. Accordingly, he is sentenced to suffer the penalty of life imprisonment and to **PAY** a fine in the amount of PHP 2 million for each of the four counts. Accused-appellant XXX is also ordered to pay the following to the victim AAA:

1. PHP 500,000.00 by way of moral damages and PHP 100,000.00 by way of exemplary damages for each of the four counts; and

2. legal interest at the rate of 6% per annum on all monetary awards from finality of this Decision until fully paid.

In Criminal Case No. 23146-2014-C, accused-appellant XXX is found **GUILTY** beyond reasonable doubt of qualified trafficking in persons defined and penalized under Section 6(a) of Republic Act No. 9208 or the Anti-Trafficking in Persons Act of 2003,

as amended. Accordingly, he is sentenced to suffer the penalty of life imprisonment and to pay a fine in the amount of PHP 2 million. Accused-appellant XXX is also ordered to **PAY** the following to the victim BBB:

1. PHP 500,000.00 by way of moral damages and PHP 100,000.00 by way of exemplary damages; and

2. legal interest at the rate of 6% per annum on all monetary awards from finality of this Decision until full payment.

SO ORDERED.

Gesmundo, C.J. (Chairperson), Hernando, Zalameda, and *Rosario, JJ.*, concur.

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[*] In line with Amended Administrative Circular 83-2015, as amended by Republic Act No. 9208, the names of the accused and private offended parties, along with all other personal circumstances that may tend to establish their identities, are made confidential to protect their privacy and dignity.

[1] Republic Act No. 9208 (2003), sec. 6(a), Anti-Trafficking in Persons Act of 2003.

[2] Republic Act No. 10364 (2013), Expanded Anti-Trafficking in Persons Act of 2012.

[3] *Rollo*, pp. 3-23. The September 23, 2019 Decision in CA-G.R. CR-HC No. 10164 was penned by Associate Justice Japar 8. Dimaampao (now a member of this Court) and concurred in by Associate Justices Edwin D. Sorongon and Geraldine C. Piel-Macaraig of the Third Division, Court of Appeals, Manila.

[4] *Rollo*, p. 4.

[5] *Id.*

[6] *Id.* at 4-5.

[7] *Id.* at 5.

[8] *Id.*

[9] Republic Act No. 9208 (2003), sec. 11, Anti-Trafficking in Persons Act of 2003, as amended by Republic Act No. 10364 (2013).

[10] CA *rollo*, p. 58.

[11] *Id.* at 59.

[12] *Id.* at 60.

[13] *Id.*

[14] *Id.* at 61.

[15] *Id.* at 48.

[16] *Id.* at 61-62.

[17] *Id.* at 63.

[18] *Id.*

[19] *Id.* at 63-64.

[20] CA *rollo*, pp. 56-70. The September 26, 2017 Decision in Criminal Case Nos.23143-2014-C to 23151-2014-C was penned by Presiding Judge Glenda R. Mendoza-Ramos of Branch 36, Regional Trial Court, Calamba City, Laguna.

[21] *Id.* at 67.

[22] *Id.* at 69-70.

[23] *Id.* at 71-72. The September 28, 2017 Order in Criminal Case Nos. 23143-2014-C to 23151-2014-C was penned by Presiding Judge Glenda R. Mendoza-Ramos of Branch 36, Regional Trial Court, Calamba City, Laguna.

[24] *Id.* at 72.

[25] *Id.* at 115.

[26] *Id.* at 129-130.

[27] 888 Phil. 332 (2020) [Per J. Perlas-Bernabe, Second Division].

[28] *Id.* at 341.

[29] CA *rollo*, pp. 59, 63.

[30] *Id.* at 51-52.

[31] *Id.* at 52.

[32] **People v. XYZ**, 921 Phil. 733, 739 (2022) [Per J. Inting, First Division].

[33] 914 Phil. 374 (2021) [Per J. Inting, Second Division].

[34] *Id.* at 380-381.

[35] *Rollo*, p. 21.

[36] CA *rollo*, p. 67.

[37] **People v. Lim**, 914 Phil. 374,385 (2021) [Per J. Inting, Second Division].

[38] **Brozoto v. People**, 901 Phil. 265, 276-277 (2021) [Per J. Lopez, J., Third Division].

[39] Section 15. *Trust Fund*. — All fines imposed under this Act and the proceeds and properties forfeited and confiscated pursuant to Section 14 hereof shall accrue to a Trust Fund to be administered and managed by the Council to be used exclusively for programs that will prevent acts of trafficking and protect, rehabilitate, reintegrate trafficked persons into the mainstream of society. Such programs shall include, but not limited to, the following:

(a) Provision for mandatory services set forth in Section 23 of this Act;
(b) Sponsorship of a national research program on trafficking and establishment of a data collection system for monitoring and evaluation purposes;
(c) Provision of necessary technical and material support services to appropriate government agencies and non-government organizations (NGOs);
(d) Sponsorship of conferences and seminars to provide venue for consensus building amongst the public, the academe, government, NGOs and international organizations; and
(e) Promotion of infom1ation and education campaign on trafficking.

[40] **People v. Lim**, 914 Phil. 374, 386 (2021) [Per J. Inting, Second Division].

[41] **People v. XXX et al.**, 835 Phil. 1083, 1096 (2018) [Per J. Perlas-Bernabe, Second Division], *citing* **People v. Jugueta**, 783 Phil. 806, 854 (2016) [Per J. Peralta, *En Banc*].

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