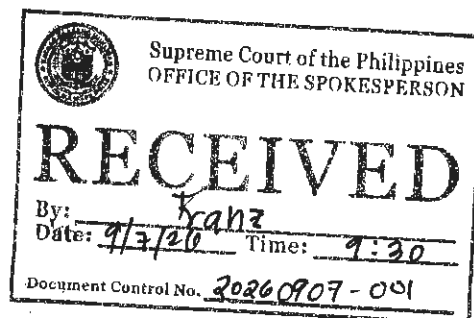




Republic of the Philippines
Supreme Court
Baguio City

[MODIFIED]

FIRST DIVISION

PEOPLE OF THE G.R. No. 281201
PHILIPPINES,
Plaintiff-appellee,

Present:

- versus -

GESMUNDO, C.J.,*
Chairperson,
HERNANDO,
Acting Chairperson,**
ZALAMEDA,
ROSARIO, and
MARQUEZ,* JJ.

WWW, XXX, YYY, VVV*** and
ZZZ,¹

Accused-appellants.

Promulgated:

AUG 19 2026

[Signature]

X-----X

DECISION

HERNANDO, J.:

Before the Court is an ordinary appeal² assailing the Decision³ and the Resolution⁴ of the Court of Appeals (CA), which affirmed with modification

* On official business.

** Per Special Order No. 3320, dated August 14, 2026.

*** Already acquitted by the Court of Appeals.

¹ In line with the Amended Administrative Circular No. 83-2015, as mandated by Republic Act No. 9208, the names of the 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.

² Rollo, p. 3-5.

³ *Id.* at 9-28. The June 28, 2024 Decision in CA G.R. CR-HC No. 17587 was penned by Associate Justice Eleuterio L. Bathán and concurred in by Associate Justices Zenaida T. Galapate-Laguilles and Roberto P. Quiroz of the Twelfth Division, Court of Appeals, [REDACTED].

⁴ *Id.* at 30-31. The March 25, 2025 Resolution in CA G.R. CR-HC No. 17587 was penned by Associate Justice Eleuterio L. Bathán and concurred in by Associate Justices Zenaida T. Galapate-Laguilles and Roberto P. Quiroz of the Former Twelfth Division, Court of Appeals, [REDACTED].

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the Joint Decision⁵ of the Regional Trial Court (RTC). The RTC convicted herein accused-appellants WWW, XXX, YYY, ZZZ (XXX, et al.), and VVV, of the crime of qualified trafficking in persons, as defined and penalized under Section 4(a), in relation to Section 6(a) of Republic Act No. 9208,⁶ or the Anti-Trafficking in Persons Act of 2003, as amended by Republic Act No. 10364.⁷

The factual antecedents

The case stemmed from four Informations⁸ filed before the RTC charging several accused, including XXX et al. and VVV, with violation of Section 4(a), in relation to Section 6(a), of Republic Act No. 9208, as amended by Republic Act No. 10364.⁹ Of the four cases, only Criminal Case Nos. 15320926 and 15320927 are involved in the present appeal. The accusatory portions of the corresponding Informations read:

[Criminal Case No. 15320926]

That on or about **October 19, 2015** in the [REDACTED],¹⁰ the said accused, conspiring and confederating together and helping one another, did then and there willfully, unlawfully, feloniously and knowingly commit acts of trafficking in person on the person of [AAA],¹¹ a 17 years old minor [sic], by then and there recruiting, obtaining, hiring, providing, offering, transporting, transferring, maintaining and/or harboring the said [AAA] under the pretext of providing her domestic employment as saleslady/helper ([*tindera*]) to a store in [REDACTED] City owned by accused [ZZZ] and for the purpose of prostitution or other forms of sexual exploitation delivering her at [REDACTED], and by taking advantage of the vulnerability of the victim/complainant, for money or other forms of considerations, offering and delivering her to customers to perform sexual intercourse, to her damage and prejudice.

Contrary to law.¹² (Emphasis in the original)

⁵ *Id.* at 35–106. The November 11, 2022 Joint Decision in Criminal Case Nos. 15320925, 15320926, 15320927, and 15320928 was penned by Presiding Judge Mariesther B. Vedaña of Branch 48, Regional Trial Court, [REDACTED].

⁶ Republic Act No. 9208 (2003), Anti-Trafficking in Persons Act of 2003.

⁷ Republic Act No. 10364 (2012), Expanded Anti-Trafficking in Persons Act of 2012.

⁸ RTC records, pp. 2–9.

⁹ These are Criminal Case Nos. 15320925, 15320926, 15320927, and 15320928. Due to the untimely deaths of accused UUU (per Certificate of Death dated October 1, 2021) and TTT (per Certificate of Death dated June 29, 2022), the criminal cases against them were extinguished. As reflected in the RTC Decision, WWW et al. were acquitted in Criminal Case Nos. 15320925 and 15320928. *See* CA *rollo*, pp. 176–177.

¹⁰ Geographical location is blotted out pursuant to Supreme Court Amended Administrative Circular No. 83-2015.

¹¹ “The identity of the victim or any information which could establish or compromise her identity, as well as those of her immediate family or household members, shall be withheld pursuant to Republic Act No. 7610, An Act Providing for Stronger Deterrence and Special Protection against Child Abuse, Exploitation and Discrimination, Providing Penalties for its Violation, and for Other Purposes; Republic Act No. 9262, An Act Defining Violence Against Women and Their Children, Providing for Protective Measures for Victims, Prescribing Penalties Therefor, and for Other Purposes; and Section 40 of A.M. No. 04-10-11-SC, known as the Rule on Violence against Women and their Children, effective November 15, 2004.” (*People v. Dumadag*, 667 Phil. 664, 669 [2011]).

¹² RTC records, p. 4.

[Criminal Case No. 15320927]

That on or about **October 19, 2015** in the [REDACTED], the said accused, conspiring and confederating together and helping one another, did then and there willfully, unlawfully, feloniously and knowingly commit acts of trafficking in person on the person of [BBB] a 17 years old minor [sic], by then and there recruiting, obtaining, hiring, providing, offering, transporting, transferring, maintaining and/or harboring the said [BBB] under the pretext of providing her domestic employment as saleslady/helper ([*tindera*]) to a store in [REDACTED] City owned by accused [ZZZ] and for the purpose of prostitution or other forms of sexual exploitation delivering her at [REDACTED], and by taking advantage of the vulnerability of the victim/complainant, for money or other forms of considerations, offering and delivering her to customers to perform sexual intercourse, to her damage and prejudice.

Contrary to law.¹³ (Emphasis in the original)

When arraigned, XXX et al. and VVV pleaded not guilty. After pre-trial, trial on the merits ensued.¹⁴

Version of the prosecution

Sometime in 2012, private complainant AAA became acquainted with ZZZ, a fellow native of [REDACTED]. ZZZ was then looking for a person to manage her *sari-sari* store in [REDACTED]. Upon learning of the opportunity, AAA, who was 14 years old at the time, expressed interest in the work and represented herself to be 16 years old. ZZZ agreed to employ her for a monthly salary of PHP 3,000.00. Thereafter, AAA traveled with ZZZ and the latter's family from [REDACTED] to [REDACTED]. Upon arrival, AAA stayed in an apartment occupied by ZZZ and worked at the *sari-sari* store for nearly a month.¹⁵

On one occasion, ZZZ brought AAA to [REDACTED]. There, AAA saw ZZZ conversing with a male client. Afterward, ZZZ escorted her into a room together with the client, while he waited outside. Inside the room, the male client engaged in sexual intercourse with AAA, who was crying throughout the act. Subsequently, ZZZ brought AAA to [REDACTED]. She was placed in a room with other women, where guests were allowed to choose among them for sexual intercourse. Eventually, a guest selected AAA, and she was again compelled to have sexual intercourse inside one of the rooms at [REDACTED].¹⁶

¹³ *Id.* at 5.

¹⁴ *Rollo*, p. 11.

¹⁵ *CA rollo*, pp. 168–169.

¹⁶ *Id.* at 169.

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Since then, AAA was required to report to [REDACTED] every Friday and Sunday. There, she stayed in a room with other women, including private complainant BBB, where guests were allowed to choose among them for sexual intercourse. When a guest selected her, AAA would be accompanied by the guest and the room boy, YYY, to the room where the guest was checked in. Afterward, the guest would pay the cashier at the front desk of [REDACTED], which was manned by WWW, and UUU, the hotel owner, before engaging in sexual intercourse with her. On these days, AAA was compelled to have sexual intercourse up to three times, receiving PHP 600.00 per client. Half of this amount was taken by ZZZ. In addition, AAA also entertained clients outside of [REDACTED]. In such instances, ZZZ would accompany her and directly collect half of the payment she received from the client, which usually ranged between PHP 3,000.00 and PHP 5,000.00.¹⁷

BBB, on the other hand, left [REDACTED] in 2015 to work in [REDACTED]. She traveled with a certain Inday to work in a *carinderia*, with their bus fare provided by ZZZ. Upon arriving in [REDACTED], BBB was met by ZZZ, who immediately brought her to [REDACTED].¹⁸

The following day, BBB was already assigned to a guest. She was staying in a room with other women, including AAA, when the guest arrived. BBB accompanied the guest to the front desk to secure a room. Afterward, she was compelled to have sexual intercourse with the guest, during which she cried as she could not accept the situation. The guest then paid the cashier at the front desk, which was manned by WWW. When sexual services occurred outside the pension house, BBB would receive payment directly from the client but was required to remit it to ZZZ. Regardless of the number of male clients she served, BBB received a fixed monthly amount of PHP 7,000.00.¹⁹

On October 15, 2015, Intelligence Agent John Rolex Fullosco (IA Fullosco) of the Department of Justice Inter-Agency Council Against Trafficking (DOJ-IACAT), acting under instructions from Atty. Zar Eric Nuqui (Atty. Nuqui), conducted surveillance at [REDACTED]. Together with his father, former DOJ-IACAT agent Roldan Fullosco, he rented a room at the establishment.²⁰

Upon entering, they were met by room boys XXX and YYY, who escorted them to the cashier. After paying, IA Fullosco was given the key to Room 203. Once inside, YYY asked if he wanted a woman. When IA Fullosco agreed to see the women, YYY showed him several photos and quoted a price of PHP 600.00. IA Fullosco selected one woman, identified as CCC, and paid YYY the amount. CCC began undressing in the room, but IA Fullosco excused himself,

¹⁷ *Id.* at 169-170.

¹⁸ *Id.* at 170-171.

¹⁹ *Id.* at 171-172.

²⁰ *Id.* at 172.

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pretending to make a phone call. He then left and reported the incident to Atty. Nuqui.²¹

On October 19, 2015, a briefing was held at the National Bureau of Investigation (NBI) Anti-Human Trafficking Division (AHTRAD) for the planned entrapment and rescue operation. It was attended by representatives from the Department of Social Welfare and Development (DSWD) and NBI agents.²²

During the briefing, Atty. Nuqui, and Atty. Giselle Dumlao (Atty. Dumlao), the assigned case agent, reported that their office had received information about minor sex workers operating at [REDACTED]. IA Fullosco was designated as the poseur customer and instructed to choose BBB if she was present during the operation. IA Fullosco was provided with three PHP 500.00 bills as marked money to be used in the transaction. NBI agent Lorraine Calara (Agent Calara) was assigned as inventory custodian. Other members of the raiding team were instructed to position themselves near [REDACTED] and await Atty. Nuqui's go signal via handheld radio. The briefing concluded at 7:30 p.m.²³

After the briefing, IA Fullosco proceeded to [REDACTED] and arrived at around 8:00 p.m. Upon entering, he was met by YYY, who asked why he had left during his previous visit. IA Fullosco replied that his wife had been looking for him. He then went to the front desk, where WWW received PHP 500.00 from him and handed over the key to Room 205. YYY informed him that XXX would assist him, and together, YYY and XXX escorted IA Fullosco to his room.²⁴

Inside, YYY asked, "[A]no, sir, tulad dati?" ("So, sir, same as before?"), to which IA Fullosco responded, "[O]kay." YYY and XXX then brought him to another room where five women were present. Since BBB was not among them, IA Fullosco chose a woman identified as DDD and returned to his room. Shortly thereafter, DDD arrived. At this point, co-accused TTT; (now deceased) demanded PHP 1,000.00 as payment, which IA Fullosco understood to be for DDD's sexual services. He handed over the money, and DDD entered the room. IA Fullosco locked the door and immediately miscalled Atty. Nuqui, using the pre-arranged signal.²⁵

Upon receiving IA Fullosco's signal, Atty. Nuqui ordered the raid via handheld radio, and NBI operatives and DSWD members rushed into [REDACTED]. Within minutes, they entered Room 205, where IA Fullosco and DDD were checked in. IA Fullosco went to the cashier's desk to

²¹ *Id.* at 172-173.

²² *Id.* at 173.

²³ *Id.*

²⁴ *Id.* at 174.

²⁵ *Id.*

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report the marked money used. Atty. Dumlao recovered the marked bills along with the hotel's certificate of registration, payment form, sanitary permit, and business permit, and turned them over to Agent Calara, who logged them as evidence. Atty. Dumlao also confiscated 21 condoms and one "special" condom from another room, which were likewise recorded. The team then rescued the trafficking victims. During the operation, Atty. Dumlao found two more girls with accused VVV. Co-accused TTT, WWW, and others were arrested during the raid.²⁶

DSWD social workers and NBI agents interviewed the rescued victims and learned that another minor was with ZZZ in [REDACTED]. Acting on this information, Atty. Nuqui directed a follow-up operation. Later that same day, NBI agents and a social worker rescued BBB and arrested ZZZ.²⁷

DDD, CCC, AAA, and BBB, together with the seized evidence, were brought to the NBI-AHTRAD office, where Agent Calara secured the items in her locker. WWW et al. and the other accused were subjected to further investigation and criminal charges. The victims, still minors at the time, received counseling from DSWD social workers and were later endorsed to DSWD [REDACTED] for continued support and schooling.²⁸

Version of the defense

WWW testified that she was merely employed as a cashier at [REDACTED] and had no participation in any trafficking activity. She claimed that she and her co-accused were arrested during the NBI operation on October 19, 2015 without being informed of the basis for their arrest. She likewise denied pimping minor women and maintained that none of the prosecution witnesses implicated her in such activity.²⁹

ZZZ denied the accusations against her and claimed that AAA and BBB merely stayed in her house in [REDACTED] as boarders. She asserted that she neither recruited nor exploited them and had no knowledge of any trafficking activities involving them.³⁰

VVV testified that he was merely renting a room at [REDACTED] at the time of the raid and was not connected with its operations. He denied any involvement in human trafficking and claimed that he was wrongly implicated during the NBI operation.³¹

²⁶ *Id.* at 175.

²⁷ *Id.* at 176.

²⁸ *Id.*

²⁹ *Id.* at 50.

³⁰ *Id.* at 50-51.

³¹ *Id.* at 51-52.

YYY and XXX similarly testified that they were employed as room boys at [REDACTED]. They denied engaging in or facilitating prostitution or trafficking activities and maintained that they were merely performing their duties when the NBI conducted the raid.³²

They claimed that they were arrested during the NBI operation despite not being involved in the alleged trafficking activities. They denied recruiting, transporting, harboring, or exploiting the victims and insisted that they were merely employees, boarders, or occupants of the premises. They further maintained that they were wrongfully implicated and that the charges against them were unsupported by the evidence.³³

Ruling of the Regional Trial Court

On November 11, 2022, the RTC rendered a Joint Decision,³⁴ the dispositive portion of which reads:

IN VIEW OF THE FOREGOING DISQUISITION, premises considered, the court hereby finds:

1. The criminal liabilities and pecuniary penalties of [UUU] and [TTT] in Criminal Case Nos. **15320925, 15320926, 15320927, and 15320928** are **EXTINGUISHED** by reason of their respective deaths on October 1, 2021 and June 29, 2022, as shown in their respective Certificates of Death, pursuant to Article 89 of the Revised Penal Code;

2. Accused [WWW, XXX, YYY, and VVV] and [ZZZ] [are] **ACQUITTED [in] Criminal Case No. 15320925** for failure of the prosecution to prove their guilt beyond reasonable doubt;

3. Accused [WWW, XXX, YYY, VVV and ZZZ] [are] **GUILTY** beyond reasonable doubt of [q]ualified [t]rafficking in [p]ersons under Section 4(a) in relation to Section 6(a) and (c) of Republic Act No. 9208, as expanded by Republic Act No. 10364, in **Criminal Case No. 15320926**, and are hereby sentenced to suffer the penalty of life imprisonment . . . [Each of them is likewise ordered to pay a fine of **PHP 2,000,000.00**]. Further, [all the accused are jointly and severally liable to complainant minor AAA for **moral damages of PHP 500,000.00 and exemplary damages of PHP 100,000.00**], with interest at the rate of [6%] per annum from finality of the Decision until fully paid;

4. Accused [WWW, XXX, YYY, VVV and ZZZ] [are] **GUILTY** beyond reasonable doubt of [q]ualified [t]rafficking in [p]ersons under Section 4(a) in relation to Section 6(a) and (c) of Republic Act No. 9208, as expanded by Republic Act No. 10364, in **Criminal Case No. 15320927**, and are hereby sentenced to suffer the penalty of life imprisonment. [Each of them is likewise ordered to pay a fine of **PHP 2,000,000.00**]. Further, [all the accused are jointly and severally liable to complainant minor BBB for **moral damages**

³² *Id.* at 52.

³³ *Id.* at 50–52.

³⁴ *Rollo*, pp. 35–106

of PHP 500,000.00 and exemplary damages of PHP 100,000.00], with interest at the rate of [6%] per annum from finality of the Decision until fully paid;

5. Accused [WWW, XXX, YYY, VVV and ZZZ] are **ACQUITTED** in Criminal Case No. 15320928 for failure of the prosecution to prove their guilt beyond reasonable doubt.

Costs against all the accused.³⁵ (Emphasis supplied)

The RTC extinguished the criminal liability of UUU and TTT by reason of their deaths. It likewise acquitted XXX et al. and VVV in Criminal Case Nos. 15320925 and 15320928, but found them guilty beyond reasonable doubt of qualified trafficking in persons in Criminal Case Nos. 15320926 and 15320927.

Dissatisfied, XXX et al. and VVV appealed to the CA.

Ruling of the Court of Appeals

On June 28, 2024, the CA rendered a Decision,³⁶ the dispositive portion of which reads:

WHEREFORE, We PARTLY GRANT the appeal:

1. Appellant [VVV] on the ground of reasonable doubt on his positive identity with moral certainty, is **ACQUITTED**. His immediate release from detention is **ORDERED** unless he is being lawfully held for other causes.

The Director of the New Bilibid Prison, Muntinlupa City, Metro Manila, or any officer charged with the custody of said detention prisoner is **ORDERED** to implement this Decision and to report the action taken to this Court within [five] days from receipt of this Decision.

2. The appeal interposed by appellants [WWW, XXX, YYY and ZZZ] is **DENIED**. The [November 11, 2022] Joint Decision of the Regional Trial Court (Branch 48, [REDACTED]) against them in Criminal Case Nos. 15320926 and 15320927 is **AFFIRMED in toto**.

SO ORDERED.³⁷ (Emphasis in the original)

In its Decision, the CA partly granted the appeal. It acquitted VVV on the ground of reasonable doubt, finding that the prosecution failed to establish his identity as one of the perpetrators with moral certainty. The CA observed that neither AAA and BBB, nor IA Fullosco positively identified VVV as one of the persons involved in the trafficking activities, and no specific act was attributed to him during trial.³⁸

³⁵ *Id.* at 104–106.

³⁶ *Id.* at 9–28.

³⁷ *Id.* at 27.

³⁸ *Id.* at 17, 21.

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However, the CA affirmed the convictions of XXX et al. in Criminal Case Nos. 15320926 and 15320927. It held that the prosecution successfully established all the elements of qualified trafficking in persons and proved beyond reasonable doubt their participation in the recruitment and sexual exploitation of AAA and BBB. According to the CA, the prosecution witnesses positively identified them as the persons involved in the trafficking scheme.³⁹

WWW, YYY, and ZZZ's Joint Motion for Reconsideration and XXX's Motion for Reconsideration were denied by the CA.⁴⁰ Subsequently, XXX et al. appealed to the Court.⁴¹

Issue

The issue for the Court's resolution is whether the prosecution was able to prove beyond reasonable doubt the guilt of accused-appellants for qualified trafficking in persons.

Our Ruling

The appeal is unmeritorious.

As a rule, the Court defers to the trial court's evaluation of the evidence and determination of the credibility of witnesses, particularly when these are sustained by the CA. Such findings are binding upon the Court unless it is shown that the lower courts committed palpable errors in appreciating the facts or arrived at conclusions unsupported by the evidence on record. This is because trial courts are in the best position to assess the credibility of witnesses, having personally observed their demeanor, conduct, and manner of testifying during examination.⁴²

After a careful review of the records, the Court sees no basis to overturn the uniform findings of the courts *a quo* holding accused-appellants liable for qualified trafficking in persons.

The Court first addresses the accused-appellants' procedural challenge to the legality of their warrantless arrest. The Court rejects such contention. If defects attended their arrest, accused-appellants nevertheless failed to timely object thereto by filing a motion to quash before arraignment. Instead, they entered their pleas and actively participated in the trial. As such, any defect in their arrest was deemed waived, and they are considered to have submitted

³⁹ *Id.* at 22–25.

⁴⁰ *Id.* at 30–31.

⁴¹ *Id.* at 3–5.

⁴² *People v. Cook*, G.R. No. 271526, November 11, 2025 [Per J. Kho, Jr., Second Division] at 7–8. This pinpoint citation refers to the copy of the Decision uploaded to the Supreme Court website.

themselves to the jurisdiction of the trial court.⁴³ Accordingly, the issue warrants no further discussion.

In *People v. Peek*,⁴⁴ the Court held that to prosecute violations of Section 4⁴⁵ of Republic Act No. 9208, as amended, the prosecution must establish the following elements:

- (1) the *act* of recruitment, obtaining, hiring, providing, offering, transportation, transfer, maintaining, harboring, or receipt of persons with or without the victim's consent or knowledge, within or across national borders; (2) the *means* used include by means of threat, or use of force, or

⁴³ *Ferrer v. People*, 925 Phil. 97, 109–110 (2022) [Per J. Lazaro-Javier, Second Division].

⁴⁴ G.R. No. 256452, February 25, 2025 [Per J. Kho, Jr., *En Banc*].

⁴⁵ Expanded Anti-Trafficking in Persons Act of 2012, sec. 4 states:

SECTION 4. Section 4 of Republic Act No. 9208 is hereby amended to read as follows:

SEC. 4. *Acts of Trafficking in Persons*. — It shall be unlawful for any person, natural or juridical, to commit any of the following acts:

(a) To recruit, obtain, hire, provide, offer, transport, transfer, maintain, harbor, or receive a person by any means, including those done under the pretext of domestic or overseas employment or training or apprenticeship, for the purpose of prostitution, pornography, or sexual exploitation;

(b) To introduce or match for money, profit, or material, economic or other consideration, any person or, as provided for under Republic Act No. 6955, any Filipino woman to a foreign national, for marriage for the purpose of acquiring, buying, offering, selling or trading him/her to engage in prostitution, pornography, sexual exploitation, forced labor, slavery, involuntary servitude or debt bondage;

(c) To offer or contract marriage, real or simulated, for the purpose of acquiring, buying, offering, selling, or trading them to engage in prostitution, pornography, sexual exploitation, forced labor or slavery, involuntary servitude or debt bondage;

(d) To undertake or organize tours and travel plans consisting of tourism packages or activities for the purpose of utilizing and offering persons for prostitution, pornography or sexual exploitation;

(e) To maintain or hire a person to engage in prostitution or pornography;

(f) To adopt persons by any form of consideration for exploitative purposes or to facilitate the same for purposes of prostitution, pornography, sexual exploitation, forced labor, slavery, involuntary servitude or debt bondage;

(g) To adopt or facilitate the adoption of persons for the purpose of prostitution, pornography, sexual exploitation, forced labor, slavery, involuntary servitude or debt bondage;

(h) To recruit, hire, adopt, transport, transfer, obtain, harbor, maintain, provide, offer, receive or abduct a person, by means of threat or use of force, fraud, deceit, violence, coercion, or intimidation for the purpose of removal or sale of organs of said person;

(i) To recruit, transport, obtain, transfer, harbor, maintain, offer, hire, provide, receive or adopt a child to engage in armed activities in the Philippines or abroad;

(j) To recruit, transport, transfer, harbor, obtain, maintain, offer, hire, provide or receive a person by means defined in Section 3 of this Act for purposes of forced labor, slavery, debt bondage and involuntary servitude, including a scheme, plan, or pattern intended to cause the person either:

(1) To believe that if the person did not perform such labor or services, he or she or another person would suffer serious harm or physical restraint; or

(2) To abuse or threaten the use of law or the legal processes; and

(k) To recruit, transport, harbor, obtain, transfer, maintain, hire, offer, provide, adopt or receive a child for purposes of exploitation or trading them, including but not limited to, the act of buying and/or selling a child for any consideration or for barter for purposes of exploitation. Trafficking for purposes of exploitation of children shall include:

(1) All forms of slavery or practices similar to slavery, involuntary servitude, debt bondage and forced labor, including recruitment of children for use in armed conflict;

(2) The use, procuring or offering of a child for prostitution, for the production of pornography, or for pornographic performances;

(3) The use, procuring or offering of a child for the production and trafficking of drugs; and

(4) The use, procuring or offering of a child for illegal activities or work which, by its nature or the circumstances in which it is carried out, is likely to harm their health, safety or morals; and

(l) To organize or direct other persons to commit the offenses defined as acts of trafficking under this Act.

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 person; and (3) the *purpose* of trafficking includes the 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.⁴⁶ (Citation omitted, emphasis in the original)

Subsequently, under Section 3(a)(2)⁴⁷ of Republic Act No. 9208, as amended, when the trafficked victim is a child, it is considered as trafficking in persons even if it does not involve any of the means stated above. In relation thereto, a child is defined under Section 3(b) of the same Act as “a person below [18] years of age or one who is over [18] but is unable to fully take care of or protect [themselves] from abuse, neglect, cruelty, exploitation, or discrimination because of a physical or mental disability or condition.”

Accordingly, the prosecution need only establish the following elements: (a) that the victim is a child; (b) that the accused engaged in any of the acts constituting trafficking, such as recruitment, obtaining, hiring, providing, offering, transporting, transferring, maintaining, harboring, or receiving a person, regardless of the victim’s consent or knowledge and whether committed within or across national borders; and (c) that such act was undertaken for the purpose of exploitation, including prostitution, other forms of sexual exploitation, forced labor or services, slavery, servitude, or the removal or sale of organs.⁴⁸

Moreover, the offense is qualified under Section 6(a) and (c)⁴⁹ of the same law when the trafficked victim is a child or when the trafficking is committed

⁴⁶ *People v. Peek*, G.R. No. 256452, February 25, 2025 [Per J. Kho, Jr., *En Banc*] at 17. This pinpoint citation refers to the copy of the Decision uploaded to the Supreme Court website.

⁴⁷ Expanded Anti-Trafficking in Persons Act of 2012, sec. 3(a)(2) states:
Section 3 of Republic Act No. 9208 is hereby amended to read as follows:
SEC. 3. *Definition of Terms.* – As used in this Act:

(a) *Trafficking in Persons* – refers to the recruitment, obtaining, hiring, providing, offering, transportation, transfer, maintaining, harboring, or receipt of persons with or without the victim’s consent or knowledge, within or across national borders by means of 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 person for the purpose of exploitation which includes at a minimum, the 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.

The recruitment, transportation, transfer, harboring, adoption or receipt of a child for the purpose of exploitation or when the adoption is induced by any form of consideration for exploitative purposes shall also be considered as ‘trafficking in persons’ even if it does not involve any of the means set forth in the preceding paragraph.

⁴⁸ *People v. Peek*, G.R. No. 256452, February 25, 2025 [Per J. Kho, Jr., *En Banc*] at 17. This pinpoint citation refers to the copy of the Decision uploaded to the Supreme Court website.

⁴⁹ Anti-Trafficking in Persons Act of 2003, sec. 6(a) and (c) states:
Section 6. *Qualified Trafficking in Persons.* – The following are considered as qualified trafficking:
(a) When the trafficked person is a child;

....
(c) When the crime is committed by a syndicate, or in large scale. Trafficking is deemed committed by a syndicate if carried out by a group of [three] or more persons conspiring or confederating with one another.

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by a syndicate. A syndicate exists when three or more persons act in conspiracy or confederate with one another in carrying out the offense.

The Court agrees with the CA and the RTC that the prosecution was able to establish all the elements of qualified trafficking in persons with respect to accused-appellants.

All the elements of trafficking in persons under Section 4(a), in relation to Section 6(a) and 6(c), of Republic Act No. 9208, as amended by Republic Act No. 10364, are present

The first element of qualified trafficking in persons was established by the prosecution through evidence showing that accused-appellant ZZZ actively recruited, hired, transported, and received private complainants AAA and BBB. The records reveal that accused-appellant ZZZ went to [REDACTED] to look for persons who could purportedly work as salesladies or helpers in her *sari-sari* store in [REDACTED]. Believing such representations, AAA agreed to work for accused-appellant ZZZ and subsequently traveled with her from [REDACTED] to [REDACTED]. Likewise, BBB was induced to travel to [REDACTED] for a supposed employment, with accused-appellant ZZZ financing her transportation and later fetching her upon arrival. Both private complainants were thereafter brought under accused-appellant ZZZ's control and eventually recruited as sex workers at [REDACTED].

These acts clearly fall within the statutory acts of "recruitment," "hiring," "transportation," and "receipt of persons" contemplated under Section 4 of Republic Act No. 9208, as amended. The evidence thus sufficiently established the first element of trafficking in persons.

The second element is likewise present. The evidence shows that accused-appellant ZZZ employed deception in recruiting AAA and BBB. AAA was promised work as a saleslady or helper in accused-appellant ZZZ's *sari-sari* store in [REDACTED], while BBB was led to believe that she would be employed in a *carinderia* in [REDACTED]. Relying on these representations, both victims agreed to leave [REDACTED] and travel to [REDACTED]. Contrary to what they had been promised, however, they were eventually recruited as sex workers at [REDACTED].

These circumstances reveal that accused-appellant ZZZ used false promises of legitimate employment to induce the victims to place themselves

It is deemed committed in large scale if committed against [three] or more persons, individually or as a group[.]

under her control, thereby satisfying the second element of trafficking in persons.

The third element is likewise attendant. While accused-appellant ZZZ initially offered AAA and BBB legitimate employment, the evidence shows that both ultimately ended up as sex workers at [REDACTED]. The transition from the promised jobs to prostitution demonstrates that the recruitment and transportation of the victims were undertaken for the purpose of sexual exploitation.

Viewed in its entirety, accused-appellant ZZZ's conduct shows that the supposed employment opportunities were merely a means of facilitating the victims' exploitation, thus satisfying the third element of trafficking in persons.

As discussed above, under Section 3(a)(2) of Republic Act No. 9208, as amended, when the trafficked person is a child, the offense of trafficking in persons exists even without proof of any of the means ordinarily required under the law, such as force, coercion, fraud, or deception. The records show that AAA, born on September 22, 1998,⁵⁰ and BBB, born on November 29, 1998,⁵¹ were both below 18 years of age when accused-appellant ZZZ recruited them. They therefore qualify as children under Section 3(b) of the law.

Accordingly, even if the prosecution failed to establish the means employed by accused-appellant ZZZ in carrying out the trafficking scheme, such proof is unnecessary considering that the victims were children. The law deems the recruitment, transportation, transfer, harboring, or receipt of a child for purposes of exploitation as trafficking in persons regardless of whether force, coercion, fraud, deception, or any other prohibited means were employed.

In fine, the evidence on record sufficiently demonstrates that accused-appellant ZZZ recruited, transported, and received AAA and BBB through false promises of legitimate employment and ultimately exploited them for prostitution. Their status as children at the time of their recruitment further brings the case within the ambit of Section 3(a)(2) of Republic Act No. 9208, as amended. Accordingly, the Court finds that the prosecution has established all the elements of trafficking in persons under Section 4(a) of the law.

The offense is qualified by the victims' minority and the participation of a syndicate

Moreover, the offense is qualified under Section 6(a) and 6(c) of Republic Act No. 9208, as amended. As discussed above, both AAA and BBB were minors at the time they were recruited and exploited by accused-appellant ZZZ.

⁵⁰ RTC records, pp. 349-350.

⁵¹ *Id.* at 798-799.

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Their minority brings the case squarely within the qualifying circumstances contemplated by law. Recognizing the heightened vulnerability of children to abuse and exploitation, the law imposes a more severe penalty when the victim of trafficking is a child. Thus, while accused-appellant ZZZ's acts already constitute trafficking in persons under Section 4(a), the fact that the victims were children elevates the offense to qualified trafficking in persons under Section 6(a) and 6(c) of Republic Act No. 9208, as amended.

The offense of trafficking in persons is also qualified by being committed by a syndicate. In this regard, Section 6(c) of Republic Act No. 9208, as amended, states that a syndicate exists when three or more persons act in conspiracy or confederate with one another in carrying out the offense. Thus, to prove trafficking "by a syndicate," the prosecution must establish conspiracy involving at least three persons.⁵²

The records disclose a coordinated trafficking operation in which each accused-appellant performed a specific role toward a common unlawful objective. Accused-appellant ZZZ served as the principal recruiter, actively recruiting young women from [REDACTED], including AAA and BBB, under the guise of legitimate employment before delivering them to [REDACTED] for sexual exploitation. UUU, as owner of [REDACTED], knowingly allowed the establishment to be used as the venue for the prostitution activities and, on occasion, personally acted as cashier. Accused-appellants YYY and XXX, who worked as room boys, facilitated the prostitution activities by offering the women to guests, escorting customers to the holding area where the women were kept, accompanying the women to the clients' rooms, and collecting payments for the sexual services rendered. Accused-appellant WWW, and TTT, acting as cashiers, received and processed the payments for the sexual services.

Viewed collectively, these acts reveal a concerted and coordinated effort among the accused-appellants, each performing indispensable functions in the recruitment, harboring, presentation, and exploitation of the victims. The chain of circumstances thus demonstrates a unity of purpose, concert of action, and community of interest directed toward the trafficking and sexual exploitation of AAA and BBB.

The Court is likewise unpersuaded by the contention of accused-appellants WWW, XXX, and YYY that they cannot be held liable because they did not personally recruit or transport the victims from [REDACTED] to [REDACTED]. While the evidence shows that accused-appellant ZZZ principally undertook the recruitment and transportation of AAA and BBB, the remaining accused-appellants performed overt acts that facilitated and advanced the trafficking operation, including harboring the victims, presenting them to prospective customers, collecting payments for their sexual services, and operating the

⁵² *People v. Bawalan*, 903 Phil. 144, 157 (2021) [Per J. Hernando, Third Division].

establishment where the exploitation occurred. These acts demonstrate their knowing and active participation in the criminal enterprise.

Notably, once conspiracy is established, the act of one becomes the act of all.⁵³ Thus, it is immaterial that not all members of the syndicate personally carried out every act constituting trafficking. Having acted in concert toward the common objective of sexually exploiting AAA and BBB, each conspirator is equally liable for the acts of the others performed in furtherance of the unlawful design.

Penalty and civil liabilities

Here, the crime of trafficking in persons was qualified by the fact that it was committed against two minor victims by a syndicate. Consequently, the courts below correctly sentenced each of accused-appellant to life imprisonment and to pay a fine of PHP 2 million in accordance with Section 10(c) of Republic Act No. 9208, as amended.⁵⁴

The award of moral and exemplary damages is also proper. Pursuant to prevailing jurisprudence, therefore, accused-appellants are correctly ordered to jointly and severally pay each of the victims the amount of PHP 500,000.00 as moral damages and PHP 100,000.00 as exemplary damages. These amounts should earn 6% legal interest per annum from the finality of this Decision until fully paid.⁵⁵

ACCORDINGLY, the Appeal is **DISMISSED**. The Decision dated June 28, 2024 and the Resolution dated March 25, 2025 of the Court of Appeals in CA G.R. CR-HC No. 17587 are **AFFIRMED**. In Criminal Case Nos. 15320926 and 15320927, accused-appellants WWW, XXX, YYY, and ZZZ are found guilty of qualified trafficking in persons under Section 4(a), in relation to Section 6(a) and (c) of Republic Act No. 9208, as amended by Republic Act No. 10364 and sentenced to life imprisonment and to pay a fine of PHP 2,000,000.00 for each count.

Accused-appellants are further ordered to jointly and severally pay AAA and BBB PHP 500,000.00 each as moral damages and PHP 100,000.00 each as exemplary damages, for each count.

These monetary awards shall earn legal interest at the rate of six percent (6%) per annum from the finality of this Decision until fully paid.

⁵³ *People v. Ubanon*, 959 Phil. 1099, 1107 (2024) [Per J. Lopez, M, Second Division].

⁵⁴ *Ferrer v. People*, 925 Phil. 97, 126 (2022) [Per J. Lazaro-Javier, Second Division].

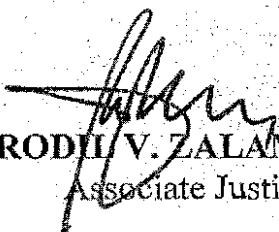
⁵⁵ *Id.*

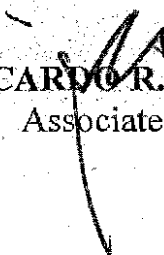
SO ORDERED.


RAMON PAUL L. HERNANDO
Associate Justice
Acting Chairperson

WE CONCUR:

On official business
ALEXANDER G. GESMUNDO
Chief Justice
Chairperson

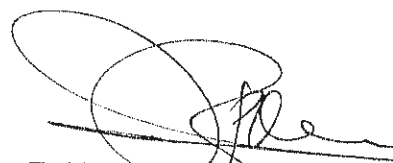

RODIL V. ZALAMEDA
Associate Justice


RICARDO R. ROSARIO
Associate Justice

On official business
JOSE MIDAS P. MARQUEZ
Associate Justice

ATTESTATION

I attest that the conclusions in the above Decision had been reached in consultation before the case was assigned to the writer of the opinion of the Court's Division.



RAMON PAUL L. HERNANDO

Acting Chairperson

CERTIFICATION

Pursuant to Article VIII, Section 13 of the Constitution, and the Division Acting Chairperson's Attestation, I certify that the conclusions in the above Decision had been reached in consultation before the case was assigned to the writer of the opinion of the Court's Division.



MARVIC M. V. F. LEONEN

Acting Chief Justice

