



Republic of the Philippines
Supreme Court
Manila

SECOND DIVISION

PEOPLE OF THE PHILIPPINES,
Plaintiff-appellee,

G.R. No. 270003

-versus-

Present:
LEONEN, *SAJ.*, Chairperson,
LAZARO-JAVIER,
LOPEZ, M.,
LOPEZ, J., and
KHO, JR., * *JJ.*

RIA LIZA BAUTISTA y
CARIAGA,
Accused-appellant.

Promulgated:
OCT 30 2024

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DECISION

LOPEZ, J., *J.*:

This Court resolves the Appeal¹ assailing the Decision² of the Court of Appeals (CA), which affirmed with modification the Decision³ of the Regional Trial Court (RTC) convicting Ria Liza Bautista y Cariaga (Bautista) of qualified trafficking in persons under Republic Act No. 9208,⁴ as amended by Republic Act No. 10364.⁵

* on leave.

¹ *Rollo*, pp. 3–4.

² *Id.* at 8–34. The February 16, 2023 Decision in CA-G.R. CR-HC No. 14678 was penned by Associate Justice Eduardo S. Ramos, Jr. and concurred in by Associate Justices Edwin D. Sorongon and Ruben Reynaldo G. Roxas of the Eighth Division, Court of Appeals, Manila.

³ *Id.* at 38–55. The May 22, 2020 Decision in Criminal Case No. 8441-V-2018 was penned by Presiding Judge Cecilia Corazon S. Dulay-Archog of Branch [REDACTED], Regional Trial Court, [REDACTED].

⁴ Otherwise known as the “Anti-Trafficking in Persons Acts of 2003.”

⁵ Otherwise known as the “Expanded Anti-Trafficking in Persons Act of 2012.”

The Antecedents

The case stemmed from an Information⁶ filed against Bautista, the accusatory portion of which reads:

That on or about November, 2017, and thereafter, in the [REDACTED], Philippines and within the jurisdiction of this Honorable Court, the above-named accused, with deliberate intent, and with intent to gain, did then and there, willfully, unlawfully and feloniously recruit, obtain, hire, offer and transport [REDACTED], * a female, 14 years old, by means of fraud and deception, by taking advantage of the vulnerability of the said [REDACTED] and by giving or receiving payments and benefits, for the purpose of prostitution and sexual exploitation, to the damage and prejudice of the said [REDACTED].

CONTRARY TO LAW.⁷

Upon arraignment, Bautista pleaded not guilty to the crime charged. Pre-trial was conducted, then trial on the merits ensued.⁸ During pre-trial and cross-examination, the parties admitted that AAA270003 was a minor at the time of the incident.⁹

On November 16, 2017, an unknown number called AAA270003, then 14 years old, asking her "*sika ba ni [REDACTED]?*" and telling her to stay at [REDACTED]. However, AAA270003 did not accede to the request of the person who called her. Later, she found out that the person who called her was Bautista.¹⁰

AAA270003 initially met Bautista on November 23, 2017 at the latter's boarding house where she stayed for a day. When AAA270003 had a stomach ache, she and Bautista went outside to buy medicine, but instead of buying medicine, they went around and fetched Nicole,¹¹ a constant companion of Bautista. Then, Bautista started to pimp AAA270003 to different men in exchange of money.¹²

On November 24, 2017, Bautista and AAA270003 went to a police camp in [REDACTED]. Bautista pimped AAA270003 to a former soldier residing in the camp. The former soldier, who appeared to be more

⁶ Records, pp. 1-2.

^{*} In line with 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.

⁷ Records, p. 1.

⁸ *Rollo*, p. 39.

⁹ *Id.* at 12.

¹⁰ *Id.* at 39.

¹¹ The full name of Nicole is not available in the *rollo* and records.

¹² *Rollo*, pp. 39-40.

than 50 years old, brought AAA270003 inside a room, and while inside, he inserted his penis into AAA270003's vagina. While the soldier and AAA270003 were inside the room, Bautista and Nicole were waiting outside the room. When the soldier came out from the room, he gave Bautista PHP 1,500.00. In turn, Bautista gave PHP 1,000.00 to AAA270003 and told the latter, "this is your money."¹³

The following day, Bautista again contacted AAA270003 and they went to a computer shop. Apparently, AAA270003 heard that Bautista was on the phone talking to a person who was looking for girls. Subsequently, Bautista and AAA270003 went to the [REDACTED]. When they arrived at the hotel, Bautista told AAA270003 that a man was already waiting upstairs for her. After, they went to the room and knocked on the door. A man, who appeared to be more than 30 years old, opened the door. Then, Bautista told AAA270003, "you can come down if you are done." Subsequently, AAA270003 entered the room, and the man closed the door. After the man undressed her, AAA270003 begged him not to continue because she felt pain in her abdomen. When the man insisted, AAA270003 got dressed and ran out of the room. The man did not follow her. AAA270003 told Bautista what happened, but the latter did not react. They just left the hotel, rode a motorcycle, and went back to the computer shop. When they arrived at the computer shop, Bautista handed AAA270003 PHP 700.00.¹⁴

Sometime in the early morning of November 2017, Bautista introduced her friend, Arnel,¹⁵ to AAA270003 at a gasoline station in [REDACTED]. Then, two other men on board the motorcycle arrived at the gasoline station. Subsequently, they all went to the [REDACTED]. When they arrived at the hotel, one of the men went inside a room in the hotel. Bautista then instructed AAA270003 to follow the man into the room. While inside the room, the man had carnal knowledge with AAA270003. Subsequently, the man gave AAA270003 PHP 2,500.00 where the PHP 2,000.00 was for her, and the remaining PHP 500.00 was for Bautista. Afterwards, they all left and went to Arnel's boarding house. This was the last instance Bautista pimped AAA270003 as the latter stopped going out with Bautista.¹⁶

Subsequently, AAA270003 told her mother what happened to her. They went to the police station to report the incident and prevent Bautista from preying on other young girls like AAA270003. It was only at the police station when AAA270003's mother found out that she was being pimped by Bautista to different men like a piece of merchandise.¹⁷

¹³ *Id.* at 40.

¹⁴ *Id.* at 40-41.

¹⁵ The full name of Arnel is not available in the *rollo* and records.

¹⁶ *Rollo*, p. 41.

¹⁷ *Id.*

For her part, Bautista denied the accusation against her. She argued that AAA270003 was only accusing her because AAA270003 had an argument with Nicole.¹⁸

In its Decision,¹⁹ the RTC found Bautista guilty of the crime charged, the dispositive portion of which reads:

WHEREFORE, based on the foregoing, the court finds accused Ria Liza Bautista y Cariaga **GUILTY** beyond reasonable doubt of the crime of qualified trafficking in persons. She is hereby sentenced to a penalty of **LIFE IMPRISONMENT** and a fine of Two million pesos ([PHP] 2,000,000.00)

Accused Ria Liza Bautista y Cariaga is ordered to pay AAA[270003]:

- (1) [PHP] 500,000.00 as moral damages; and
- (2) [PHP] 100,000.00 as exemplary damages.

SO ORDERED.²⁰ (Emphasis in the original)

The RTC held that the prosecution successfully established that Bautista performed all the elements of qualified trafficking in persons when she peddled the services of AAA270003 to different men. It held that Bautista took advantage of AAA270003's vulnerability for the purpose of sexual exploitation in exchange for money.²¹

Aggrieved, Bautista appealed to the CA.²²

In a Decision,²³ the CA denied the appeal of Bautista, disposing as follows:

WHEREFORE, the appeal is **DENIED**. The assailed Decision dated May 22, 2020, of the Regional Trial Court, First Judicial Region, Branch [REDACTED] of [REDACTED], finding accused-appellant Ria Liza Bautista y Cariaga, guilty beyond reasonable doubt is hereby **AFFIRMED** with **MODIFICATION** in that interest of six percent (6%) *per annum* shall be imposed on all damages awarded from the date of finality of this judgment until fully paid.

No pronouncement as to costs.

SO ORDERED.²⁴ (Emphasis in the original)

¹⁸ *Id.* at 42.

¹⁹ *Id.* at 38–55.

²⁰ *Id.* at 55.

²¹ *Id.* at 45.

²² CA rollo, pp. 15–16.

²³ Rollo, pp. 8–34.

²⁴ *Id.* at 33.

In affirming the RTC Decision, the CA held that the factual findings of the RTC on the credibility of AAA270003 is accorded utmost respect for it is the trial court which is able to observe that elusive and incommunicable evidence of AAA270003's deportment on the witness stand while testifying.²⁵

Hence, Bautista filed the instant Appeal.

Issue

Whether accused-appellant Ria Liza Bautista y Cariaga is guilty beyond reasonable doubt of qualified trafficking in persons under Republic Act No. 9208, as amended.

This Court's Ruling

The Appeal is unmeritorious.

On January 28, 2013, Republic Act No. 10364 was approved amending Republic Act No. 9208. Sections 3(a) and (b) of Republic Act No. 9208, as amended, provide:

SECTION 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.

(b) **Child** — refers to a person below eighteen (18) years of age or one who is over eighteen (18) but is unable to fully take care of or protect himself/herself from abuse, neglect, cruelty, exploitation, or

²⁵ *Id.* at 32.

discrimination because of a physical or mental disability or condition.

Meanwhile, Section 4 of Republic Act No. 9208, as amended, enumerates the acts that constitute trafficking in persons, thus:

SECTION 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 baring 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.

Further, Section 6 of Republic Act No. 9208 provides:

SECTION 6. *Qualified Trafficking in Persons.* — The following are considered as qualified trafficking:

a. When the trafficked person is a child[.]

In *People v. Casio*,²⁶ this Court enumerated the elements of trafficking in persons as derived from Section 3(a) of Republic Act No. 9208, as amended, which are:

²⁶ 749 Phil. 458 (2014) [Per J. Leonen, Second Division].

(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 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;”

(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[.]”²⁷ (Emphasis in the original)

The crime is further qualified under Section 6(a) of Republic Act No. 9208 when the trafficked person is a child.²⁸

From the foregoing, accused-appellant performed all the elements in the commission of the crime charged when she peddled AAA270003 and offered her services to several men in exchange for money. Here, accused-appellant was always waiting outside the hotel for AAA270003 to finish the sexual act with a customer. Then, in exchange for the sexual acts rendered to a customer, accused-appellant hands over AAA270003 her payment and takes her commission from the said money paid for AAA270003’s services. The crime was also qualified because AAA270003 was a minor at the time of its commission.

First, AAA270003 was able to sufficiently establish how accused-appellant recruited, offered, and transported her to different men, by taking advantage of her vulnerability, for the purpose of prostitution.

AAA270003 testified during her direct examination as to how accused-appellant solicited her services for the first time for sexual exploitation. As she narrated:

Q: Now, can you tell us, do you remember where you were on November 16, 2017?

A: I am at the basement of [REDACTED], then someone called me using a new number, sir.

Q: What did she tell you?

A: The person on the other side [o]f the phone was asking me, [a]re you [REDACTED]? (“[s]ika ba ni [REDACTED]?”) and that person was asking me to stay at [REDACTED], sir.

²⁷ *Id.* at 474.

²⁸ *Id.* at 476.

- Q: Was that the first time you heard the voice on the other line?
A: Yes, sir.
- Q: And do you know where the [REDACTED] is?
A: It is near [REDACTED] near the [REDACTED], sir.
- Q: And did you accede to the request of the person who told you to stay at the [REDACTED]?
A: No, sir.
- Q: So, did you come to know who told you to stay at [REDACTED] [REDACTED]?
A: [It was] Ate Ria.
- Q: If that [A]te Ria is here in the courtroom[,] can you [pinpoint] to her?
A: She [is that] one, sir.

Court Interpreter THE WITNESS IS POINTING TO A LADY WEARING A YELLOW SHIRT AT THE BENCH AND WHEN I ASKED HER NAME[,] SHE GAVE HER NAME AS RIA LIZA CARIAGA BAUTISTA[.]

....

- Q: Do you remember having been to a police camp in [REDACTED] [REDACTED]?
A: Yes, sir.
- Q: What did you do there?
A: *The man [to] whom I was [pimped] to was there.*
- Q: What did that man do to you?
A: He brought me inside a room, sir.
- Q: And when the two of you were already inside the room, what happened next?
A: *He inserted his "thing" inside me.*
- Q: Are you referring to the penis of the man?
A: Yes, sir.
- Q: And how many times did he do that during that time, Madam?
A: Only once, sir.
- Q: And do you remember the date when that happened, Madam?
A: November 24, 2017.
- Q: And during that time[,] you were inside the room with that man, the accused is also in that camp?
A: Yes, sir. She was outside of the room.

....

- Q: When you came out of the room[,] you saw Ria Liza Bautista?
A: Yes, sir.

- Q: What did she [tell] you?
A: They handed me money, sir.
- Q: How much did she hand you?
A: They gave me 1,500, sir.
- Q: How much of the 1,500 did she [give] you?
A: 1,000, sir.²⁹ (Emphasis in the original)

Further, AAA270003 narrated the second incident when accused-appellant pimped her to a man in a hotel as follows:

Prosecutor Querubin

- Q: After you were pimped at the camp, Madam Witness, Ria Liza Bautista contacted you again?
A: We went first to [REDACTED] and stayed there[,] and then someone called in her cellphone again looking for some girls, sir.
- Q: How did you know that someone is asking Ria Liza Bautista for some girls?
A: I [overheard] what they [were] talking about, sir.
- Q: And after taking the phone or after talking to that person[,] what did Ria Liza Bautista do?
A: We went to [REDACTED].
- Q: Is that [REDACTED] with cottages or with rooms in it?
A: Yes, sir.
- Q: Now, when you arrived at [REDACTED] [,] what did Ria Liza Bautista tell you?
A: She told me that the man is already waiting upstairs, sir.
-
- Q: And what did you do when the accused told you that the man is already waiting upstairs?
A: Ate Ria accompanied me to the room, sir.
- Q: Who opened the room?
A: A man, sir.
- Q: What did the man say to you both?
A: I cannot recall, sir.
- Q: What did the accused tell you?
A: She told me, sir "[y]ou can come down if you are done."
- Q: And after she told you that, you enter[ed] the room?
A: Yes, sir.
- Q: Who closed the door of the room?

²⁹ TSN, [REDACTED], September 4, 2019, pp. 4-7.

- A: The man, sir.
- Q: How old is the man?
A: Around 30 plus years old, sir.
- Q: And can you tell us what did he do to you?
A: He undressed me, sir.
- Q: After you were undressed[,] what happened next?
A: I was begging him not to push it or continue because my abdomen was painful, sir.
- Q: When you begged him not to continue[,] was he undressed?
A: He wanted to continue[,] but I left the room, sir.
- Q: If you left him there[,] he is still dressed?
A: No, sir.
- Q: So, nothing happened between you[,] or did he try to kiss you?
A: He was about to kiss me[,] but I begged him not to continue.
- Q: You said that you ran out of the room[,] were you able to run out of the building?
A: Yes, sir.
- Q: Did the man follow you?
A: No, sir.
- Q: Where was the accused at that time?
A: She was downstairs, sir.
- Q: Did you tell her what happened?
A: Yes, sir.
- Q: What was her reaction?
A: Nothing, sir. We rode to a motorcycle and we went back at [REDACTED].
- Q: Did she castigate you for running away the customer?
A: No, sir.
- Q: Did she give you any money after you ran away from there?
A: It was Ate Ria who handed the money to me, sir.
- Q: How much?
A: 700, sir.³⁰

Moreso, AAA270003 vividly recalled the third incident when accused-appellant pimped her to a soldier. As she stated:

- Q: Can you tell us again the date of this second time that the accused pimped you, Madam?
A: November 25, sir.

³⁰ *Id.* at 11-14.

- Q: Now, Madam Witness[,] was there any other incidents where the accused pimped you?
A: It was an early morning (*parbangon*), sir.
- Q: Where was that, Madam?
A: At [REDACTED], sir.
- Q: Where is that located?
A: [REDACTED] in [REDACTED], sir.
- Q: Who was your companion in going there?
A: Her gay companion named Arnel, sir.
- Q: That gay companion is a companion of the accused?
A: Yes, sir.
- Q: Why do you say that Arnel is a companion of Ria Liza Bautista?
A: Because Arnel was working at [REDACTED] then, sir.
- Q: How many times did you see Arnel and the accused together?
A: Once, sir.
- Q: But you can tell from their body language and on how they talk that they were companions?
A: No, sir. They were only together at that time.
- Q: By the way[,] it was the accused who introduced you to Arnel?
A: Yes, sir.
- Q: And after you were introduced to Arnel, what happened next?
A: They were with two (2) other men, sir.
- Q: These two (2) other men were inside a vehicle[,] or did they use a motorcycle when you met them?
A: They were in a motorcycle, sir.
- Q: They also went to [REDACTED]?
A: Yes, sir.
- Q: So[,] these two (2) male persons, Ria Bautista, you[,] and Arnel were at [REDACTED] at that time?
A: Yes, sir.
- Q: And what date is that, Madam?
A: I cannot exactly recall[,] but I remember that it was early morning (*parbangon*) of November, sir.
- Q: This was after the first and second incident, right? This is the third?
A: Yes, sir.
- Q: And what did you do next after you see each other at [REDACTED]?
A: We went again to [REDACTED], sir.
- Q: You all went to [REDACTED]?
A: Yes, sir.

Q: The accused was with you?

A: Yes, sir.

....

Q: What happened at [REDACTED]?

A: There was a man at [REDACTED] who was brought inside a room.

Q: Did you mean to say that Ria Liza (stopped) [s]o you entered one of the rooms of the hotel?

A: Yes, sir.

Q: Ria Liza accompanied you towards that room?

A: No, sir.

Q: You were instructed by Ria Liza to be at [REDACTED] at that time?

A: Yes, sir. She told me that they were soldiers of [REDACTED].

Court: Who is that soldier? Is he a customer?

Witness: Yes, your Honor.

Court: Continue.

Prosecutor Querubin

Q: And you were told what room to enter?

A: Yes, sir.

Q: Who told you what room to enter?

A: Ate Ria, sir.

Q: Is that Arnel also there?

A: Yes, sir. They were waiting outside.

Q: And when you entered the room, was anyone there?

A: Yes, sir. A man.

Q: How old is he?

A: I do not know, sir.

Q: Is there something happened there?

A: Yes, sir.

Q: And what happened there?

A: *He inserted his penis, sir.*

Q: And how many minutes did you stay with that man inside that room?

A: 10 minutes, sir.

Q: Did he repeat what he did?

A: No, sir.

Q: And after he did to you, did he g[i]ve you any money?

A: Yes, sir.

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- Q: Directly?
A: I cannot recall, sir.
- Q: Can you remember the amount of the money he gave?
A: 2,500.00, sir.
- Q: You kept that all yourself?
A: No, sir.
- Q: What did you do with that 2,500?
A: The 500 pesos is for Ate Ria. The man gave it to her.
- Q: The man gave the accused the 500 or he gave the 2,500 to her?
A: I cannot recall, sir.
- Q: So, when you came out of the room[,] the accused was there?
A: Yes, sir.
- Q: And what happened next?
A: We rode in a tricycle and went to the boarding house of Arnel, sir.
- Q: And that was the time you slept?
A: Yes, sir.
- Q: You already narrated to us three (3) instances, Madam, was there any other instance you were again pimped by the accused?
A: No more, sir. Because I left the place of Ate Ria.³¹ (Emphasis in the original)

From the foregoing testimony, it is clear how accused-appellant offered AAA270003 to different men in exchange for money and how she was transported to different places by accused-appellant to be with these customers, thus, satisfying the first element of the crime.

As to the second element, the prosecution successfully established that accused-appellant took advantage of AAA270003's youth and vulnerability when accused-appellant recruited and transported AAA270003 to different men to provide sexual services in exchange of financial gain. We do not agree with accused-appellant's contention that she should be acquitted because AAA270003 did not explicitly state how she was convinced by accused-appellant to engage in prostitution.

Here, the prosecution was able to prove the minority of AAA270003 when accused-appellant admitted it during pre-trial proceedings, which admission took place as judicial admission that needs no further proof. AAA270003 testified that she was 16 years old when she took the witness stand on September 4, 2019.³² She also vividly recalled that she was only 14

³¹ *Id.* at 14-18.

³² *Id.* at 2.

years old at the time of the incident.³³ Moreso, accused-appellant admitted during her cross-examination that AAA270003 was a minor at the time of the incident.³⁴

In *People v. Dela Cruz*,³⁵ this Court held that the victim's consent is immaterial with respect to how the victim was recruited, obtained, hired, harbored, or transported, thus:

Correlatively, Section 3(a), paragraph 2 of [Republic Act] No. 9208, as amended, expressly articulates that when the victim is a child, the recruitment, transportation, transfer, harboring, adoption[,] or receipt for the purpose of exploitation need not involve "*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.*" This implies that accused-appellant can be held liable for qualified trafficking in persons even if she did not employ threat, force, intimidation[,] or any other forms of coercion upon the minor victims. Neither can she evade criminal liability by claiming that the decision to have sexual intercourse with the customers depended on the will of the private complainants. In fact, regardless of the willingness of the minor victims, the crime of qualified trafficking in persons can still be committed.³⁶ (Emphasis in the original)

The victim's consent is rendered meaningless due to the coercive, abusive, or deceptive means employed by perpetrators of human trafficking. In fact, even without the use of coercive, abusive, or deceptive means, a minor's consent is not given out of his or her own free will.³⁷

The third element was also successfully established by the prosecution. It is undisputed that the purpose of accused-appellant for recruiting and transporting AAA270003 to different men was for prostitution. AAA270003's narrations established that accused-appellant exploited her in prostitution when she procured customers to engage in sexual intercourse with AAA270003 for a fee, from which pay she also benefited.

Here, accused-appellant simply denied the charges against her. This notwithstanding, the positive testimony of AAA270003 prevails over accused-appellant's negative and self-serving statements. It has been settled that denial is an intrinsically weak defense, which must be supported by strong evidence of nonculpability to merit credibility and that alibi, on the other hand, is the weakest of all defenses, for it is easy to contrive and difficult to disprove

³³ *Id.* at 31.

³⁴ TSN, Ria Liza Bautista y Cariaga, January 24, 2020, p. 8.

³⁵ 904 Phil. 566 (2021) [Per J. J. Lopez, Third Division].

³⁶ *Id.* at 581.

³⁷ *People v. Casio*, 749 Phil. 458, 475-476 (2014) [Per J. Leonen, Second Division]

and for which reason it is generally rejected.³⁸ Hence, this Court has consistently ruled that denial cannot prevail against positive identification.

The prosecution was able to prove beyond reasonable doubt that accused-appellant committed the crime of trafficking in persons, qualified by the fact that AAA270003 was a child at the time of the incident.

As to the penalties to be imposed, Section 12(e) of Republic Act No. 10364 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. Thus, the RTC correctly sentenced accused-appellant to suffer the penalty of life imprisonment and to pay a fine of PHP 2 million. Further, the CA's imposition of interest at the rate of 6% per annum on the damages awarded is appropriate in accordance with the prevailing jurisprudence.³⁹


ACCORDINGLY, the Appeal is **DISMISSED**. The February 16, 2023 Decision of the Court of Appeals in CA-G.R. CR-HC No. 14678 is **AFFIRMED**. Accused-appellant Ria Liza Bautista y Cariaga is **GUILTY** beyond reasonable doubt of qualified trafficking in persons under Republic Act No. 9208, as amended, and is sentenced to suffer the penalty of life imprisonment. She is **ORDERED to PAY** AAA270003 the amounts of PHP 500,000.00 as moral damages and PHP 100,000.00 as exemplary damages. These shall bear interest at the rate of 6% per annum from the date of finality of this Decision until fully paid.

Further, accused-appellant Ria Liza Bautista y Cariaga is **ORDERED to PAY** a fine of PHP 2 million.

SO ORDERED.


JHOSEP L. LOPEZ
Associate Justice

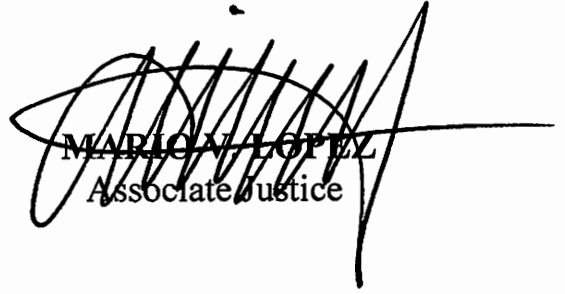
WE CONCUR:


MARVIC M.V.F. LEONEN
Senior Associate Justice

³⁸ *People v. San Miguel*, 887 Phil. 777, 791 (2020) [Per J. Inting, Second Division].

³⁹ *People v. Dela Cruz*, 904 Phil. 566, 589–590 (2021) [Per J. J. Lopez, Third Division].

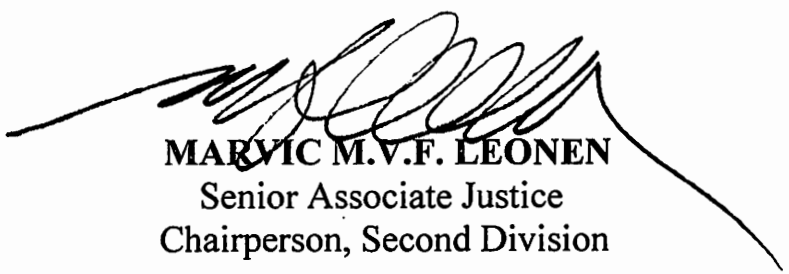

AMY C. LAZARO-JAVIER
Associate Justice


MARION LOPEZ
Associate Justice

(on leave)
ANTONIO T. KHO, JR.
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 this Court's Division.


MARVIC M.V.F. LEONEN
Senior Associate Justice
Chairperson, Second Division

CERTIFICATION

Pursuant to Article VIII, Section 13 of the Constitution and the Division 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 this Court's Division.


ALEXANDER G. GESMUNDO
Chief Justice