



Republic of the Philippines
Supreme Court
Manila

SECOND DIVISION

PEOPLE OF THE PHILIPPINES,
Plaintiff-Appellee,

G.R. No. 262197

— versus —

Present:

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

JOKO CELIS Y PINE A.K.A.
“JAZTINE” OR “JOCO/JOKO,”
Accused-Appellant.

Promulgated:

AUG 14 2023

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DECISION

LOPEZ, J., J.:

This Court resolves an Appeal¹ assailing the Decision² of the Court of Appeals (CA) in CA-G.R. CR-HC No. 12118, which affirmed the Decision³ of the Regional Trial Court (RTC), that found Joko Celis y Pine *alias* “Jaztine” or “Joco/Joko” (*Celis*) guilty beyond reasonable doubt of seven counts of Qualified Trafficking in Persons defined and penalized under Section 4 (a) in relation to Section 6 (a) and (c) of Republic Act (R.A.) No. 9208,⁴ otherwise

* In line with Amended Administrative Circular No. 83-2015, as mandated by R.A. No. 9208, as amended, 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.

¹ *Rollo*, p. 3–4.

² *Id.* at 8–31. The February 26, 2021 Decision in CA-G.R. CR-HC No. 12118 was penned by Associate Justice Alfredo D. Ampuan, and concurred in by Associate Justices Mariflor P. Punzalan Castillo and Maria Elisa Sempio Diyivision Fourth Division, Court of Appeals, Manila.

³ *Id.* at 34–60. The October 5, 2018 Decision in Criminal Case Nos. R-QZN-18-03111-17-CR was penned by Presiding Judge Roslyn M. Rabara-Tria, Regional Trial Court, Branch 94, [REDACTED].

⁴ Entitled “AN ACT TO INSTITUTE POLICIES TO ELIMINATE TRAFFICKING IN PERSONS ESPECIALLY WOMEN AND CHILDREN, ESTABLISHING THE NECESSARY INSTITUTIONAL MECHANISMS FOR THE PROTECTION AND SUPPORT OF TRAFFICKED PERSONS, PROVIDING PENALTIES FOR ITS VIOLATIONS, AND FOR OTHER,” approved on May 26, 2003.

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known as the Anti-Trafficking in Persons Act of 2003, as amended by R.A. No. 10364,⁵ otherwise known as the Expanded Anti-Trafficking in Persons Act of 2012.

Celis was charged with the crime of qualified trafficking in persons in seven separate Informations, committed as follows:

Criminal Case No. R-QZN-18-03111-CR

That on and/ or about January 30, 2018 in Turtle[s] Family KTV along [REDACTED], and within the jurisdiction of this Honorable Court, accused **JOKO CELIS y PINE a.k.a. "JAZTINE" or "JOCO/JOKO"**, did then and there knowingly, wilfully [sic], unlawfully and feloniously recruit, obtain, offer, and transport private complainants **AAA262197, BBB262197, CCC262197, and DDD262197**, thru deceit, and by taking advantage of their vulnerability by reason of their age and poverty/financial situation for the purpose of having them engaged by another in sexual intercourse or lascivious conduct and other forms of sexual exploitation, in exchange for money, profit or any other consideration, to their damage and prejudice.

That the crime is qualified because the offense was committed by the accused in large scale, since it was committed against three (3) or more persons.

CONTRARY TO LAW.⁶

Criminal Case No. R-QZN-18-03112-CR

That on and/or about January 30, 2018 in Turtle[s] Family KTV along [REDACTED], and within the jurisdiction of this Honorable Court, accused **JOKO CELIS y PINE a.k.a. "JAZTINE" or "JOCO/JOKO"**, did then and there knowingly, wilfully [sic], unlawfully and feloniously recruit, obtain, offer, and transport private complainant **EEE262197**, a minor, fifteen (15) years of age, by taking advantage of her vulnerability by reason of her age and poverty/financial situation for the purpose of having her engaged by another in sexual intercourse or lascivious conduct and other forms of sexual exploitation, in exchange for money, profit or any other consideration, to her damage and prejudice.

CONTRARY TO LAW.⁷

⁵ Entitled "AN ACT EXPANDING REPUBLIC ACT NO. 9208, ENTITLED 'AN ACT TO INSTITUTE POLICIES TO ELIMINATE TRAFFICKING IN PERSONS ESPECIALLY WOMEN AND CHILDREN, ESTABLISHING THE NECESSARY INSTITUTIONAL MECHANISMS FOR THE PROTECTION AND SUPPORT OF TRAFFICKED PERSONS, PROVIDING PENALTIES FOR ITS VIOLATIONS AND FOR OTHER PURPOSES,'" approved on February 6, 2013.

⁶ Records, pp. 1-2.

⁷ *Id.* at 1-2.

Criminal Case No. R-QZN-18-03113-CR

That on and/ or about January 30, 2018 in Turtle[s] Family KTV along [REDACTED], and within the jurisdiction of this Honorable Court, accused **JOKO CELIS y PINE a.k.a. "JAZTINE" or "JOCO/JOKO"**, did then and there knowingly, wilfully [sic], unlawfully and feloniously recruit, obtain, offer, and transport private complainant **FFF262197**, a minor, fourteen (14) years of age, by taking advantage of her vulnerability by reason of her age and poverty/financial situation for the purpose of having her engaged by another in sexual intercourse or lascivious conduct and other forms of sexual exploitation, in exchange for money, profit or any other consideration, to her damage and prejudice.

CONTRARY TO LAW.⁸

Criminal Case No. R-QZN-18-03114-CR

That on and/ or about January 30, 2018 in Turtle[s] Family KTV along [REDACTED], and within the jurisdiction of this Honorable Court, accused **JOKO CELIS y PINE a.k.a. "JAZTINE" or "JOCO/JOKO"**, did then and there knowingly, wilfully [sic], unlawfully and feloniously recruit, obtain, offer, and transport private complainant **GGG262197**, a minor, fourteen (14) [sic] years of age, by taking advantage of her vulnerability by reason of her age and poverty/financial situation for the purpose of having her engaged by another in sexual intercourse or lascivious conduct and other forms of sexual exploitation, in exchange for money, profit or any other consideration, to her damage and prejudice.

CONTRARY TO LAW.⁹

Criminal Case No. R-QZN-18-03115-CR

That on and/ or about January 30, 2018 in Turtle[s] Family KTV along [REDACTED], and within the jurisdiction of this Honorable Court, accused **JOKO CELIS y PINE a.k.a. "JAZTINE" or "JOCO/JOKO"**, did then and there knowingly, wilfully [sic], unlawfully and feloniously recruit, obtain, offer, and transport private complainant **HHH262197**, a minor, seventeen (17) years of age, by taking advantage of her vulnerability by reason of her age and poverty/financial situation for the purpose of having her engaged by another in sexual intercourse or lascivious conduct and other forms of sexual exploitation, in exchange for money, profit or any other consideration, to her damage and prejudice.

CONTRARY TO LAW.¹⁰

⁸ *Id.* at 1-2.

⁹ *Id.* at 1-2.

¹⁰ *Id.* at 1-2.

Criminal Case No. R-QZN-18-03116-CR

That on and/ or about January 30, 2018 in Turtle[s] Family KTV along [REDACTED], and within the jurisdiction of this Honorable Court, accused **JOKO CELIS y PINE a.k.a. "JAZTINE" or "JOCO/JOKO"**, did then and there knowingly, wilfully [sic] unlawfully and feloniously recruit, obtain, offer, and transport private complainant **III262197**, a minor, sixteen (16) years of age, by taking advantage of her vulnerability by reason of her age and poverty/financial situation for the purpose of having her engaged by another in sexual intercourse or lascivious conduct and other forms of sexual exploitation, in exchange for money, profit or any other consideration, to her damage and prejudice.

CONTRARY TO LAW.¹¹

Criminal Case No. R-QZN-18-03117-CR

That on and/ or about January 30, 2018 in Turtle[s] Family KTV along [REDACTED], and within the jurisdiction of this Honorable Court, accused **JOKO CELIS y PINE a.k.a. "JAZTINE" or "JOCO/JOKO"**, did then and there knowingly, wilfully [sic] unlawfully and feloniously recruit, obtain, offer, and transport private complainant **JJJ262197**, a minor, fifteen (15) years of age, by taking advantage of her vulnerability by reason of her age and poverty/financial situation for the purpose of having her engaged by another in sexual intercourse or lascivious conduct and other forms of sexual exploitation, in exchange for money, profit or any other consideration, to her damage and prejudice.

CONTRARY TO LAW.¹²

Upon *ex parte* motion of the prosecution, the foregoing criminal cases were consolidated.¹³ Meanwhile, Celis was detained on March 26, 2018.¹⁴ Upon arraignment, Celis, assisted by counsel, entered a plea of "not guilty" to the charges against him.¹⁵ During the pre-trial conference, both parties stipulated as to the jurisdiction of the court over the person of Celis, the identity of Celis, and the minority of GGG262197 in Criminal Case No. R-QZN-18-03114-CR. Thereafter, trial on the merits ensued.¹⁶

To prove the guilt of Celis, the testimonies of the private complainants AAA262197, BBB262197, CCC262197, DDD262197, EEE262197, FFF262197, GGG262197, HHH262197, III262197, and JJJ262197, (collectively, *AAA262197 et al.*) were offered in evidence, which were corroborated by the testimonies of the apprehending officers, Senior Police Officer I Glenn S. Alcaraz (*SPO1 Alcaraz*), SPO1 Angelito O. Castro (*SPO1*

¹¹ *Id.* at 1-2.

¹² *Id.* at 1-2.

¹³ *Id.* at 1-2.

¹⁴ *Id.* at 118-120. Order of Commitment.

¹⁵ Records, pp. 139-140.

¹⁶ *Id.* at 141-148.

Castro), and SPO1 Israel C. Lucob (*SPO1 Lucob*).¹⁷ The prosecution and the defense stipulated on the intended testimonies of the following: 1) Police Chief Inspector (*PCINSP*) Jerome V. Pulvera, 2) *PCINSP* Jasmin Nova K. Garcia, 3) Police Inspector Elenita L. Sandoval, 4) SPO1 Maria Era M. Sumando, 5) Police Senior Inspector (*PSI*) Maimona O. Macasasa, 6) SPO2 Mayflor H. Palma, 7) *PSI* Michelle A. Morada, 8) SPO3 Marsha T. Agustin, 9) PO2 Mary Grace Atienza Guache, 10) PO3 Abigail N. Gamboa, 11) Leila Interino, 12) *PCINSP* Gracia Catherine C. Guno, and 13) SPO1 Albert D. Bitoon.¹⁸

Their salient testimonies, interwoven together, established the facts as follows:

On January 23, 2018, the Philippine National Police Women and Children Protection Center-Anti-Trafficking in Persons Division (*PNP WCPC-ATIPD*) received a letter¹⁹ from Destiny Rescue, a non-profit organization organized to help end child sexual exploitation and slavery. According to the letter, a certain “Jaztine” a.k.a. “Jaco,” later identified as Celis, was offering minor girls to customers for sexual services in exchange for money, personally and through social media. To confirm the veracity of the report, *PCINSP* Jerome Bryan Saniano (*PCINSP Saniano*) of the *WCPC-ATIPD* organized a team to conduct a surveillance and test purchase operation on Celis.²⁰

On January 26, 2018, a team led by *PSI* Jigson Maddatu conducted a surveillance operation in [REDACTED]. Through a confidential informant from Destiny Rescue, they met up with Celis in a Karaoke Television (*KTV*) bar in [REDACTED] at around 10:30 p.m. The surveillance team pretended that they would have a get-together on January 30, 2018. Upon hearing this, Celis voluntarily offered to provide the services of minor girls for sexual activities on said date at the rate of PHP 3,000.00 each. He added that the girls will be available whenever they want to take them for sexual engagement. Celis further suggested that the get-together be held in a private room where the group can safely choose any of the girls.²¹

In their pre-operational briefing on January 30, 2018, the team discussed the tactical plan for the entrapment operation that will be conducted in Turtles Family *KTV* (*Turtles KTV*) at [REDACTED], [REDACTED]. The team designated SPO1 Alcaraz to act as the poseur-customer, SPO1 Castro as the arresting officer, and SPO1 Lucob as the seizing officer. In coordination with local authorities, social workers from Social Services Development Department Quezon City joined the operation. Afterwards, the

¹⁷ Records, pp. 242–250.

¹⁸ *Id.* at 221–224, 226–232, 237–241.

¹⁹ *Id.* at 62.

²⁰ *Rollo*, p. 13.

²¹ Records, p. 2.

team proceeded to the place of operation. At around 8:20 p.m., they arrived at Turtles KTV and entered a private room. Celis arrived a few minutes later with 10 “young looking girls.” He made them sit beside the police officers acting as poseur-customers. PCINSP Saniano then gave the group a thumbs-up, their predetermined signal to signify the start of the operation. SPO1 Alcaraz, being the designated poseur-customer, then asked the girl beside him if she is ready to be “taken out” to which the girl nodded. He also asked her if there is someone among them selling condoms, to which the girl replied in the negative. He then stood up, holding the girl’s hands and told his companions, “*Paano yan mga boss, mauna na ako sa inyo.*” Celis then approached SPO1 Alcaraz and told the latter, “*kung kaya nyo, 3k po ‘yan kuya,*” to which SPO1 Alcaraz replied, “no problem.” To close their deal, SPO1 Alcaraz handed over to Celis six PHP 500.00 bills, which were previously dusted with ultraviolet powder. Celis then counted the money and, thereafter, SPO1 Alcaraz and his girl companion walked out of the room towards the motel right across Turtles KTV. Upon reaching the motel, SPO1 Alcaraz pretended asking the room rates and stayed in the lobby while waiting for the call from their team leader.²²

While Celis was counting the money, SPO1 Castro arrested him for violation of R.A. No. 9208, as amended by R.A. No. 10364. Afterwards, PCINSP Saniano called SPO1 Alcaraz to inform the latter that the operation has already been concluded. SPO1 Alcaraz thus brought the girl back to Turtle KTV. The police officers then brought Celis and AAA262197 et al. to Camp Crame in Quezon City.²³

In support of the prosecution’s evidence against Celis, AAA262197 et al. took the witness stand. Their material testimonies, as discussed by the CA, are as follows:

[AAA262197] testified that she is a food attendant in a *tapsilogan* in [REDACTED]. In the evening of 30 January 2018, [BBB262197], [REDACTED], fetched her upon the orders of Celis because they were going to have a drinking spree. She was assured that they will be given money for their expenses. She agreed to join the drinking session because she needed money to buy milk for her child. She went with [BBB262197] to the house of Celis where they waited for other girls [sic]. When the other girls arrived, Celis hailed two (2) taxi cabs [sic] and they proceeded to Turtles KTV. Inside the taxi, [CCC262197] and [DDD262197] asked Celis how much they will receive. Celis told them that they will receive Two Thousand Pesos (Php2,000.00) and it is up to them how much they will give him as commission. At Turtles KTV, the girls went inside a VIP room where there were several men. Celis paired each of the girls with the men. She was surprised when she overheard Celis asking one of the minor girls if it is alright with her if she will be brought to a hotel, to which the minor girl nodded. One of the men handed money to Celis and while the latter was counting it, the man introduced himself as a police officer and arrested

²² *Id.* at 28-29. Affidavit of SPO1 Glenn S. Alcaraz dated February 1, 2018.

²³ *Id.* at 30-31. Affidavit of arrest dated February 1, 2018.

Celis. Suddenly, social workers and female police officers entered the room and gave the girls towels to cover their faces.

[BBB262197] narrated that she first met Celis sometime in December 2017 through a common friend. On 29 January 2018, Celis asked her if she would like to join a drinking session. Celis also asked her if she can bring her cousin [AAA262197] with her. When she agreed, Celis asked her phone number. In the afternoon of 30 January 2018, Celis called her up and told her that they will meet at 5:30 P.M. She and [AAA262197] met Celis at [REDACTED] at around 7:00 P.M. When they arrived at Turtles KTV, Celis paired them up with several men. Later, they found out that Celis will allow the men to bring them to the hotel across Turtles KTV for a fee. She also learned that one of the girls was brought to said hotel. Suddenly, police officers arrived and rescued the girls.

[DDD262197] testified that she met Celis through her friend, [III262197], sometime in December 2017. Celis contacted her through Facebook Messenger and told her that she will be given Five Hundred Pesos (PHP 500.00) if she will join [sic] a drinking spree. At Turtles KTV, Celis told the girls to sit beside the men and drink. He made one of the girls go out with one of the men. Thereafter, one of the men put his arm around Celis and arrested the latter.

[CCC262197] narrated that she was brought along by her sister-in-law, [DDD262197], who knows Celis. She was told that she will be given Five Hundred Pesos (PHP 500.00) if she joins Celis and some girls for a drinking spree. She and [DDD262197] met Celis at [REDACTED]. Their group then went to Turtles KTV. They were singing when there was a commotion and the girls were rescued.

[EEE262197] testified that she was born on [REDACTED]. She was fifteen (15) years old when the incident happened. She is the youngest of five (5) children and her parents are vendors. She was introduced by [REDACTED], to Celis on 16 January 2018. On 30 January 2018, Celis forced her to go with him and her friends. He told them that they will be given One Thousand Five Hundred Pesos (PHP 1,500.00) if they join a drinking spree. Celis then brought her and some girls to Turtles KTV and made them sit beside some men. She then saw a man giving Celis One Thousand Five Hundred Pesos (PHP 1,500.00).

During her turn at the witness stand, [FFF262197] narrated that she was born on [REDACTED] and that she was fourteen (14) years old when the incident happened on 30 January 2018. She knows Celis because they lived one street away from each other. Celis knows that she is a minor. At around 4:00 A.M. on 28 January 2018, she was out buying food for breakfast when she met Celis. He asked her if she wants to join an outing to which she answered that she will try. Celis told her that the outing will be a happy one and that many will be joining it. He also told her that it will be a swimming party and that she should wear nice clothes. He also told her that it will be held on the night of 30 January 2018 and that she should be ready by 6:00 P.M. That night, she saw other girls in Celis' [sic] house. They then boarded two (2) taxi cabs [sic]. She was surprised when they went to Turtles KTV and that there was no swimming party. Inside Turtles KTV, she saw men drinking liquor. She wanted to ask Celis why they were there but the latter ~~was talking to a fat man. Celis then told her to sit beside a man and not to leave.~~ Afterwards, the man seated beside her gave Celis Five Hundred Peso (Php500.00) bills and told him to count the money. The man then held her

hand and invited her to go out of Turtles KTV. The fat man joined them and they went inside a building with the word "ENTRANCE" across the street. The fat man then asked a lady at the counter how much they are going to pay to which the lady answered Six Hundred Fifty (Php650.00). The fat man told the lady that he had no money. The man who asked her out talked to somebody on the phone and then she and the man went out of the building.

[GGG262197] testified that she was born on [REDACTED] and she was only (13) years old at the time she was rescued by police officers on 30 January 2018. She met Celis sometime in January 2018 through Facebook. Celis would send her messages such as "*Be, nasaan ka na, ilalakad kita,*" which meant that Celis would act as her pimp and she would have sex with a man for a fee. Prior to going to Turtles KTV, Celis had already pimped her out thrice for which she received a total of Four Thousand Five Hundred Pesos (Php4,500.00). She gave Celis Three Hundred Pesos (Php300.00) each time he pimped her out. On 30 January 2018, Celis sent her a message saying "*Be, saan ka, ilalakad kita.*" Later, they met in the vicinity of the police station in [REDACTED]. She, along with Celis and nine (9) other girls went to Turtles KTV. Upon arriving thereat, Celis told them to change into sexy clothes so that they would look nice when they join the guests. They were eating and singing when the guests suddenly introduced themselves as police officers and arrested Celis.

[HHH262197] narrated that she was born on [REDACTED] and that she was seventeen (17) years old at the time Celis was arrested by the police. Her father is a construction worker and her mother is a [*kasambahay*]. Celis is her [REDACTED]. Sometime in January 2018, she came to know that Celis is working as a pimp and that he provides girls for guests in exchange for money. Celis borrowed her phone to contact a man who will be their guest. He told her that they will just sing in a videoke. On 30 January 2018, she met with Celis and some girls in front of the police station in [REDACTED]. The group then went to Turtles KTV on board two (2) taxi cabs [*sic*]. Thereat, the ten (10) men were already waiting for them. Before 30 January 2018, she found out that Celis was sending her picture on Facebook to different men. Celis asked her if she is willing to have sex with a man for Two Thousand Five Hundred Pesos (Php2,500.00) but she refused.

[IIf262197] testified that she was born on [REDACTED] and that she was sixteen (16) years old when the incident happened at Turtles KTV. Her father is already deceased. Her mother is a housewife. She is the youngest of five (5) children. Celis is her [REDACTED]. Prior to 30 January 2018, Celis already pimped her three (3) times. She would go to a bar with a guest provided by Celis. One of the guests would bring her to a hotel and they would have sex. She would give Celis Three Hundred Pesos (Php300.00) out of the Two Thousand Pesos (Php2,000.00) that she would receive from the guest. She only agreed to do the job because she needed the money. On 30 January 2018, Celis told her and another friend that he will introduce them to some men and that they will have a drinking spree. They boarded two (2) taxi cabs [*sic*] and went to Turtles KTV. Thereat, Celis talked to a fat man then told the girls to sit with the men. They were having a drinking spree when one of the men invited [FFF262197] to go out with him. The fat man told the man who invited [FFF262197] out to give money to Celis. After the man and [FFF262197] went out, another man blocked the door and put his arm around Celis' [*sic*] shoulder. Thereafter, she found out that the men were police officers and they arrested Celis.

Lastly, [JJJ262197] narrated that she was born on [REDACTED] and that she was fifteen (15) years old when the incident happened on 30 January 2018. Her father is in detention and her mother is a housewife. She stopped going to school after she finished Grade 7. She is the sixth of thirteen (13) children. She met Celis through Facebook. On 28 January 2018, she was at Celis' [sic] house when the latter told her that they are going to attend a birthday party in Turtles KTV on 30 January 2018. Celis told her to wear a nice dress for the party. On said date, she went to Celis' [sic] house where she saw other girls. The group boarded two (2) taxi cabs [sic] and went to the Turtles KTV. Upon arriving at Turtles KTV, a man paid for their cab fare. Inside the establishment, there were twelve (12) men waiting for them. Celis made her sit beside a man who held her by the waist. The girls were given liquor and food. While she was singing, the men suddenly introduced themselves as police officers and arrested Celis.²⁴

After the prosecution rested its case, the trial court directed Celis to present his evidence. To exculpate himself from criminal liability, Celis interposed the defense of denial.

Celis testified that on January 30, 2018, at around 3:00 p.m., he was sleeping at home when III262197, [REDACTED], woke him up and invited him to a birthday party. They first went to the place of a certain "Ate Judith" where III262197 waited for a call from a man who would give them the details about the party. Celis overheard the conversation between III262197 and the man through the loudspeaker. The man told III262197 that they needed more women and that the party will start between 5:30 p.m. to 6:00 p.m. on that day. Celis then went home and slept because he was not feeling well. At around 6:00 p.m., III262197 woke him up. Celis refused to go to the party but III262197 insisted and chided him saying, "*Ano ba yan be, ang KJ mo naman sumama ka na. Tang-ina.*"²⁵ He eventually agreed for the sake of "*pakikisama.*" Whenever III262197 invites him, Celis works as III262197's "*utusan*" or "*tsimay-tsimay*" for a fee. At the corner of the street, outside his house, Celis met nine girls who III262197 will be bringing with them to the party. The group boarded two taxicabs. Celis was instructed by III262197 to ride in one of the taxicabs with the adults while the latter rode in another taxicab with the minors.²⁶

When they arrived at Turtles KTV, two men ushered them into a private room where Celis saw III262197 and the minors already drinking and singing with the men. While he was eating, the men suddenly forced him to receive some money. He asked them what the money was for, to which the men only answered, "*Basta, basta,*" and that III262197 already knows what the money is for. Afterwards, he handed the money over to III262197. He denied having knowledge as to the purpose for its payment.²⁷

²⁴ *Rollo*, pp. 15–20.

²⁵ TSN, August 15, 2018, p. 10.

²⁶ *Id.* at 6–11.

²⁷ *Id.* at 18–20.

Then, when the women tried to go to the restroom, the men prevented them from doing so. Suddenly, the men handcuffed Celis, informed him of his rights, and dragged him out of Turtles KTV and brought him to Camp Crame.²⁸

The following morning, Celis saw III262197 and the rest of the women in Camp Crame. III262197 ignored him while HHH262197 allegedly apologized to him.²⁹

In support of the defense, the Judicial Affidavits of Donita Romero Fraga (*Fraga*),³⁰ Crisanta Espiritu Gabuat @ “Jenny,”³¹ (*Gabuat*) and Roseanne Gañares @ “Baleleng”³² (*Gañares*) were adopted as their direct testimony and they took the witness stand for cross-examination.³³

For her part, Fraga testified that on January 30, 2018, between 5:00 p.m. and 6:00 p.m., she overheard III262197 talking to Celis and insisting that the latter join them in a drinking spree.³⁴ Gabuat corroborated this and narrated that she heard III262197 talking to a man on her cellphone, saying that she has lots of girls with her.³⁵

Gañares recalled that III262197 recruited her to work in a bar in Malabon. On January 30, 2018, the latter invited her to a party, but she declined the invitation. She alleged that it was III262197 who was in contact with the men. She likewise denied that Celis works as a pimp and that Celis was just a helper in the bar where she worked.³⁶

On cross-examination, Fraga, Gabuat, and Gañares admitted under oath that they were not present at Turtles KTV on January 30, 2018, and thus, do not have any personal knowledge about Celis’s arrest.³⁷

On October 5, 2018, after careful scrutiny of the records and evaluation of evidence adduced by the parties, the RTC rendered a Decision,³⁸ the dispositive of which reads:

WHEREFORE, premises considered, judgement is hereby rendered finding accused JOKO CELIS y PENE a.k.a. “JAZTINE” or “JOCO/JOKO” GUILTY beyond reasonable doubt of Qualified Trafficking in Persons

²⁸ *Id.* at 20–21

²⁹ *Id.* at 22.

³⁰ Records, pp. 347–351.

³¹ *Id.* at 359–364.

³² *Id.* at 352–357.

³³ TSN, September 5, 2018, pp. 11–12.

³⁴ Records, pp. 349–350.

³⁵ *Id.* at 362.

³⁶ TSN, August 15, 2018, pp. 46–54.

³⁷ *Id.* at 38, 45, 53–55.

³⁸ *Id.* at 35–60; CA *rollo*, pp. 62–89.

punishable under Section 4(a) in relation to Section 6(a) and (c) of Republic Act No. 9208 (Anti-Trafficking in Persons Act of 2003)[.] as amended by Republic Act No. 10364 (Expanded Anti-Trafficking in Persons Act of 2012) in Criminal Case Nos. R-QZN-18-03111-CR to R-QZN-18-03117-CR and is hereby sentenced to suffer the penalty of Life Imprisonment and a Fine of Two Million Pesos (P2,000,000.00) in each case.

Accused is further ordered to pay each victim namely, [AAA262197], [BBB262197], [CCC262197], [DDD262197], [EEE262197], [FFF262197], [GGG262197], [HHH262197], [III262197] and [JJJ262197] P500,000.00 as moral damages and P100,000.00 as exemplary damages.

The Social Sciences Development Department (SSDD), [REDACTED] is hereby ordered to continue monitoring the private complainants and extend to them the necessary assistance. The said office is further directed to submit to the court the corresponding report.

SO ORDERED.³⁹

The RTC held that the prosecution has successfully established the guilt of Celis beyond reasonable doubt for the crime of Qualified Trafficking in Persons.

Aggrieved by the ruling, Celis appealed to the CA.⁴⁰ In his Appellant's Brief,⁴¹ Celis claimed that the prosecution failed to sufficiently establish that he employed deceit and took advantage of the vulnerability of AAA262197 et al. by reason of their ages and poverty/financial situation. Assuming that they were hired by Celis, the prosecution failed to prove that such hiring was done for the purpose of prostitution. He further claimed that they were not deceived to go to the KTV bar, nor were they asked to engage in any sexual or lascivious conduct.⁴² He insisted that he only invited them to the KTV bar to drink, sing, and entertain customers. After due proceedings, the CA rendered the assailed Decision⁴³ affirming the RTC Decision as follows:

WHEREFORE, the instant appeal is **DISMISSED**. The *Decision* dated February 29, 2016 of the Regional Trial Court, Branch 94, [REDACTED], in Criminal Case Nos. R-QZN-18-03111-CR, R-QZN-18-03112-CR, R-QZN-18-03113-CR, R-QZN-18-03114-CR, R-QZN-18-03115-CR, R-QZN-18-03116-CR, and R-QZN-18-03117-CR, finding accused-appellant Joko Celis *y Pine alias* "Jaztine" or "Joco/Joko" guilty beyond reasonable doubt of seven (7) counts of violation of Section 4(a) in relation to Section 6(a) and (c) of Republic Act (R.A.) No. 9208, as amended by R.A. No. 10364, is **AFFIRMED**.

SO ORDERED.⁴⁴

³⁹ Records, pp. 424-425.

⁴⁰ CA *rollo*, pp. 37-60.

⁴¹ *Id.* at 37-60.

⁴² *Id.* at 56.

⁴³ *Rollo*, pp. 8-31.

⁴⁴ *Id.* at 30.

The CA held that Celis failed to substantiate his defense of denial and that said defense must fail in light of the prosecution witnesses' positive and categorical testimony against him.⁴⁵

Hence, this Appeal.

Issue

This Court is confronted with the sole issue of whether the CA correctly upheld the conviction of *Joko Celis y Pine alias "Jaztine" or "Joco/Joko"* for Qualified Trafficking in Persons.

This Court's Ruling

The Appeal is bereft of merit.

Trafficking in persons is defined under R.A. No. 9208, as amended by R.A. No. 10364, as follows:

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.

The specific acts constituting trafficking in persons are enumerated under Section 4 (Acts of Trafficking in Person) and 5 (Acts that Promote Trafficking in Persons) of R.A. No. 9208, as amended by R.A. No. 10364. In conjunction with this, the circumstances listed in Section 6 of the law qualifies the crime of Trafficking in Persons. In the case at hand, the charges against

⁴⁵ *Id.* at 29.

Celis fall under Section 4(a) in relation to Section 6(a) and (c) of R.A. No. 9208, as amended, which reads:

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;

SEC. 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 (3) or more persons conspiring or confederating with one another. It is **deemed committed in large scale if committed against three (3) or more persons, individually or as a group[.]** (Emphasis supplied)

From the foregoing, the elements of Trafficking in Persons as enunciated in *People v. Casio*⁴⁶ are as follows:

- (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[.]”⁴⁷ (Citations omitted)

⁴⁶ 749 Phil. 458, 472-473 (2014) [Per J. Leonen, Second Division]

⁴⁷ *Id.* at 472-473.

Thus, for the successful prosecution of trafficking in persons, there must be concurrence of the act of trafficking, means to commit trafficking, and exploitative purpose.⁴⁸

In an effort to deny criminal culpability, Celis alleged that the prosecution failed to establish that *first*, he employed deceit and took advantage of the vulnerability of AAA262197 et al.; and *second*, he hired them for the purpose of prostitution.

To the contrary and as invariably found by the courts below, these elements were all duly established herein. The prosecution witnesses clearly and convincingly narrated the events that transpired on the day of the incident.

First, Celis recruited AAA262197 et al. by inviting them to a party, with the promise of a good time and the possibility of earning. He transported them to Turtles KTV on board two taxicabs and offered them to a group of 10 men.

Notably, GGG262197 testified that Celis recruited her via Facebook Messenger saying “*Be, saan ka na, ilalakad kita.*”⁴⁹ As she had been previously pimped out by Celis, she understood the same to mean “*ibubugaw niya ako at magpapagalaw ako sa lalake tapos babayaran niya po ako.*”⁵⁰ For her part, EEE262197 testified that Celis invited her by saying, “*Sumama daw po ako, tapos magkakapera din daw po ako kahit hindi ako galawin.*”⁵¹

The prosecution established that during the surveillance operation, Celis offered to provide the sexual services of minor girls for a fee. AAA262197 et al. further narrated how they were offered to a group of men upon arriving at Turtles KTV. AAA262197 testified that, “*Una po, magkakatabi po kaming mga babae, tapos po pinag-isa-isa po kami doon sa mga lalaki, parang pinagpartner-partner po kami.*”⁵² FFF262197 added that after Celis made them sit beside a man, he told her, “*Huwag kang aalis dyan.*”⁵³

Second, Celis deceived AAA262197 et al. and took advantage of their vulnerability due to their age, or social or economic circumstances.

Celis employed deceptive means to prod and lure unsuspecting victims to join his illicit sexual trade. He promised them payment in return for

⁴⁸ *Ferrer v. People*, G.R. No. 223042 & 223769, July 6, 2022 [Per J. Lazaro-Javier, Second Division].

⁴⁹ TSN, April 18, 2018, p. 18.

⁵⁰ Records, p. 45; TSN, April 18, 2018, p. 13.

⁵¹ TSN, April 18, 2018, p. 44.

⁵² TSN, May 9, 2018, p. 9.

⁵³ TSN, April 18, 2018, p. 29.

“*kwentuhan*” and drinking with the men.⁵⁴ For the most part, Celis invited them to a drinking spree or “*inuman*.” Meanwhile, FFF262197 was invited to an “outing” or swimming party. Therefore, when one of the men invited FFF262197 to go out, she readily went with him, thinking that she will go swimming in the hotel across the road.⁵⁵ HHH262197⁵⁶ joined the party thinking they will just sing in the KTV bar while JJJ262197⁵⁷ joined thinking it was “bonding” among friends.

Through the vivid and convincing testimonies of AAA262197 et al., the prosecution further established that AAA262197 et al. were all underprivileged and came from poverty-stricken families, thereby rendering them vulnerable to trafficking.

Under the *Travaux Préparatoires* to the Protocol to Prevent, Suppress and Punish Trafficking in Persons, a vulnerable person “has no real and acceptable alternative but to submit to the abuse involved.”⁵⁸ Vulnerability in the context of trafficking is further explained as follows:

The existence of vulnerability is best assessed on a case-by-case basis, taking into consideration the personal, situational or circumstantial situation of the alleged victim. Personal vulnerability for instance, may relate to a person’s physical or mental disability. Situational vulnerability may relate to a person being irregularly in a foreign country in which he or she is socially or linguistically isolated. Circumstantial vulnerability may relate to a person’s unemployment or economic destitution. Such vulnerabilities can be pre-existing and can also be created by the trafficker. Pre-existing vulnerability may relate (but not be limited) to poverty; mental or physical disability; youth or old age; gender; pregnancy; culture; language; belief; family situation or irregular status.⁵⁹

To illustrate their vulnerability, III262197 explained why she agreed to be pimped, by stating that “*Minsan kailangan ko lang po ng pera*.”⁶⁰ For her part, AAA262197, a solo parent with no regular income, joined the party to earn money to buy milk and diapers for her one-year-old child.⁶¹ Equally telling is the fact that apart from GGG262197 and HHH262197, the rest of the victims are out-of-school children or youths, who have stopped attending school and are not working. Their parents work as vendors, jeepney driver,

⁵⁴ TSN, May 2, 2018, p. 8; TSN, May 9, 2018, p. 31.

⁵⁵ TSN, April 18, 2018, p. 31.

⁵⁶ Records, pp. 38-39.

⁵⁷ TSN, May 23, 2018, p. 42.

⁵⁸ UNITED NATIONS CONVENTION AGAINST TRANSNATIONAL ORGANIZED CRIME, Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, available at <http://www.unodc.org/documents/treaties/UNTOC_Publications/Travaux%20Preparatoire/04-60074_ebook-e.pdf> (last accessed July 31, 2023).

⁵⁹ UNITED NATIONS OFFICE ON DRUGS AND CRIME, Legislative Guide for the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, available at <https://www.unodc.org/documents/treaties/Review_Mechanism/Review_Mechanism_2020/Website/Legislative_Guide_on_TiP/TiP_LegislativeGuide_Final.pdf> (last accessed July 31, 2023).

⁶⁰ Records, p. 56.

⁶¹ TSN, May 9, 2018, pp. 13-14; Records, pp. 41-42.

construction worker, *kasambahay*, or stay-at-home parent.⁶² Two of the victims have already lost a parent, while another has a parent in detention. These facts reveal the inherent and pre-existing vulnerabilities of AAA262197 et al.

Correlatively, trafficking in persons may also be committed by means of taking advantage of persons' vulnerability as minors.

The law carved out an exception as to the means adopted to prove trafficking, for the protection of minors. Section 3(a) of R.A. No. 9208, as amended, reads as follows:

SEC. 3. *Definition of Terms.* – As used in this Act:

(a) *Trafficking in Persons* – x x x

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.**⁶³ (Emphasis supplied)

Therefore, where the victim is a child, the criminal element of means to commit trafficking need not be established in evidence. It is sufficient that the fact of minority is established on record.

Under Section 3(b) of the law, a child is a person below 18 years of age or one who is over 18 but is unable to fully take care of or protect himself/herself from abuse, neglect, cruelty, exploitation, or discrimination because of a physical or mental disability or condition.

In *People v. Prunu*,⁶⁴ this Court laid down the following controlling guidelines in appreciating age, either as an element of the crime or as a qualifying circumstance:

In order to remove any confusion that may be engendered by the foregoing cases, we hereby set the following guidelines in appreciating age, either as an element of the crime or as a qualifying circumstance.

1. The best evidence to prove the age of the offended party is an original or certified true copy of the certificate of live birth of such party.
2. In the absence of a certificate of live birth, similar authentic documents, such as baptismal certificate and school records which show the date of birth of the victim, would suffice to prove age.

⁶² Records, p. 52-59.

⁶³ Republic Act No. 9208 as amended by Republic Act No. 10364, Sec. 3(a), par. 2.

⁶⁴ 439 Phil. 440, 470-471 (2002) [Purcell, Davide, Jr., Et. Al.].

3. If the certificate of live birth or authentic document is shown to have been lost or destroyed or otherwise unavailable, the testimony, if clear and credible, of the victim's mother or a member of the family either by affinity or consanguinity who is qualified to testify on matters respecting pedigree such as the exact age or date of birth of the offended party pursuant to Section 40, Rule 130 of the Rules on Evidence shall be sufficient under the following circumstances:
 - a. If the victim is alleged to be below 3 years of age and what is sought to be proved is that she is less than 7 years old;
 - b. If the victim is alleged to be below 7 years of age and what is sought to be proved is that she is less than 12 years old;
 - c. If the victim is alleged to be below 12 years of age and what is sought to be proved is that she is less than 18 years old.
4. In the absence of a certificate of live birth, authentic document, or the testimony of the victim's mother or relatives concerning the victim's age, the complainant's testimony will suffice provided that it is expressly and clearly admitted by the accused.
5. **It is the prosecution that has the burden of proving the age of the offended party. The failure of the accused to object to the testimonial evidence regarding age shall not be taken against him.**
6. The trial court should always make a categorical finding as to the age of the victim.⁶⁵

In the case at hand, the minority of EEE262197, FFF262197, GGG262197, HHH262197, III262197, and JJJ262197 were sufficiently alleged in the Informations and in their own testimonies. To corroborate their testimonies, FFF262197,⁶⁶ GGG262197,⁶⁷ and III262197⁶⁸ presented their Certificates of Live Birth while JJJ262197⁶⁹ presented her Certificate of Baptism. Further, their minority is corroborated by the result of their dental examination.⁷⁰ However, the prosecution failed to properly substantiate the allegations of minority of EEE262197 and HHH262197. While the said qualifying circumstance of minority cannot be appreciated in favor of EEE262197 and HHH262197, trafficking in persons was still nonetheless committed as Celis employed means of taking advantage of their vulnerability to commit the crimes charged.

At this juncture, it must be noted that in Criminal Case No. R-QZN-18-03114-CR, GGG262197 was alleged to be 14 years old, but during the trial, it was proved that she was only 13 years old at the time of the incident.⁷¹ This

⁶⁵ *Id.* at 470-471.

⁶⁶ Records, p. 330.

⁶⁷ *Id.* at 173.

⁶⁸ *Id.* at 331.

⁶⁹ *Id.* at 323.

⁷⁰ *Id.* at 130.

⁷¹ TSN, April 18, 2018, pp. 4-11-12, 22-23

⑤

minor inconsistency does not, however, diminish GGG262197's credibility as a witness. It is well settled that inconsistencies in the testimonies of witnesses, which refer only to minor details, do not affect the veracity and weight of their testimonies, where there is consistency in relating the principal occurrence and the positive identification of the accused.⁷² The fact of her minority, therefore, remains unrebutted.

Anent the *third* element, it has been sufficiently established that Celis's act of trafficking is for the purpose of having AAA262197 et al. engaged by another in sexual intercourse or lascivious conduct and other forms of sexual exploitation. Section 3 of the law defines prostitution and sexual exploitation as follows:

SEC. 3. *Definition of Terms.* – As used in this Act:

....

(c) *Prostitution* – refers to any act, transaction, scheme or design involving the use of a person by another, for sexual intercourse or lascivious conduct in exchange for money, profit or any other consideration.

....

(h) *Sexual Exploitation* – refers to participation by a person in prostitution, pornography or the production of pornography, in exchange for money, profit or any other consideration or where the participation is caused or facilitated by any means of intimidation or threat, use of force, or other forms of coercion, abduction, fraud, deception, debt bondage, abuse of power or of position or of legal process, taking advantage of the vulnerability of the person, or giving or receiving of payments or benefits to achieve the consent of a person having control over another person; or in sexual intercourse or lascivious conduct caused or facilitated by any means as provided in this Act.

During the surveillance operation conducted by the PNP WCPC-ATIPD, Celis offered the services of young girls for a fee. Subsequently, in the entrapment operation, Celis brought AAA262197 et al., offered them to the arresting officers, and received payment of PHP 3,000.00 in return. Thereafter, SPO1 Alcaraz succeeded in bringing FFF262197 with him to the hotel located across the road from Turtles KTV. Meanwhile, the rest were left ready to be taken out by the other men.⁷³ Quite tellingly, Celis instructed AAA262197 et al. to wear “sexy clothes”⁷⁴ or “*kaakit-akit na damit*.”⁷⁵ When asked what she understands by “sexy clothes,” GGG262197 answered, “*Fitted po na damit na halos labas na po yong katawan po.*”⁷⁶ It is thus clear that the purpose of Celis in recruiting AAA262197 et al. was to exploit them by

⁷² *People v. Els*, 728 Phil. 568, 575 (2014) [Per J. Del Castillo, Second Division].

⁷³ *Rollo*, p. 27.

⁷⁴ TSN, April 18, 2013, p. 19.

⁷⁵ *Id.* at 29.

⁷⁶ *Id.* at 19.

forcing them to engage in prostitution with the customers for money. Further, GGG262197 and III262197 confirmed that they previously provided sexual services to customers for a fee. It was Celis who transacted with the customers, and they give him a commission in exchange.

Verily, for the crime of trafficking in persons to be consummated, it is immaterial that sexual intercourse or lascivious acts had not taken place⁷⁷ and that the victim consented⁷⁸ thereto. The mere transaction consummates the crime.⁷⁹ What is essential under the law is that a person is recruited and transported for the purpose of prostitution and other forms of sexual exploitation. Precisely, what the law aims to curtail is the act of recruiting or using, with or without consent, a fellow human being for sexual exploitation. The victim does not have to be actually subjected to prostitution or had sex with a client before the recruiters can be held criminally liable under the law. This entails punishing the acts themselves that would lead to prostituting the victims.⁸⁰

Thus, this Court sustains the conviction of Celis of the crimes charged.

In their last attempt to raise doubts as to the commission of the criminal offense, the defense assails the sufficiency of the consideration for the sexual services. While it was established on record that poseur-customer SPO1 Alcaraz handed over to Celis marked PHP 500.00 bills, the ultraviolet powder examination of the latter turned negative for the presence of bright yellow ultraviolet fluorescent powder.

The foregoing contention, however, deserves scant consideration. The testimonies of AAA262197, EEE262197, FFF262197, SPO1 Alcaraz, and SPO1 Lucob positively identified Celis as the one who received the money from SPO1 Alcaraz as a form of payment.⁸¹ In his direct examination, Celis even admitted receiving money from the apprehending officers.

By analogy, we can apply the ruling of this Court in *PO2 Flores v. People*,⁸² the pertinent portion of which reads:

The presence of ultraviolet fluorescent powder is not an indispensable evidence to prove that the appellant received the marked money. Moreover, there is no rule requiring that the police officers must apply fluorescent powder to the buy-bust money to prove the commission of the offense. In fact, the failure of the police operatives to use fluorescent powder on the

⁷⁷ *People v. Dela Cruz*, G.R. No. 253754, June 16, 2021 [Per J. Lopez, J., Third Division]

⁷⁸ Republic Act No. 10364, Expanded Anti-Trafficking in Persons Act of 2012, Section 17-B.

⁷⁹ *People v. Cesio*, *supra* note 42.

⁸⁰ *People v. Estorilo*, G.R. No. 248694, October 14, 2020 [Per J. Paras-Bernabe, Second Division], citing *People v. Rodriguez*, 818 Phil. 625-646 (2017).

⁸¹ *Rollo*, p. 27.

⁸² 830 Phil. 635, 648-649 [Per J. Gesmundo, Third Division]

boodle money is not an indication that the entrapment operation did not take place . . . The laboratory report is merely a corroborative evidence which is not material enough to alter the judgment either way.⁸³ (Citations omitted)

Moreover, this Court in *People v. Rodriguez*⁸⁴ acknowledged that the corroborating testimonies of the arresting officers and the victims are sufficient to sustain a conviction under the law. This is specially so considering that no ill motive has been shown as would have caused AAA262197 et al. to falsely charge Celis.

All told, the evidence presented by the defense pales in comparison with the dearth of evidence presented by the prosecution. Nonetheless, this Court modifies the findings of the courts *a quo* that all the elements of Qualified Trafficking in Persons, in all of the charges against Celis are present.

The crime was committed in a large scale as it was committed against three (3) or more persons and attended by the qualifying circumstance of minority.

However, the qualifying circumstance of minority under Section 6 (a) of R.A. No. 9208, as amended, cannot be applied against Celis in Criminal Case Nos. R-OZN-18-03112-CR and R-OZN-18-03115-CR. No evidence was presented by the prosecution to prove the age of EEE262197 and HHH262197 respectively. While it was established that the crime was committed in a large scale, the qualifying circumstance under Section 6 (c) of R.A. No. 9208, as amended, likewise, cannot be applied as the same was not specifically averred in their respective Informations. Under the Revised Rules on Criminal Procedure, special qualifying circumstances must be specifically pleaded or alleged with certainty in the information.⁸⁵ Anent the proper penalty to be imposed, Section 10 reads as follows:

SEC. 10. *Penalties and Sanctions.* – The following penalties and sanctions are hereby established for the offenses enumerated in this Act:

(a) Any person found guilty of committing any of the acts enumerated in Section 4 shall suffer the penalty of imprisonment of twenty (20) years and a fine of not less than One million pesos (P1,000,000.00) but not more than Two million pesos (P2,000,000.00).]

Hence, for failure of the prosecution to prove the qualifying circumstance of minority in Criminal Case Nos. R-QZN-18-03112-CR and R-QZN-18-03115-CR, Celis is guilty of simple trafficking in persons and is sentenced to suffer the penalty of imprisonment of 20 years and a fine of PHP 1,000,000.00.

⁸³ *Id.* at 648–649.

⁸⁴ 818 Phil. 625, 638 (2017) [Per J. Martines, Third Division].

⁸⁵ RULES OF COURT, Rule 10, Prosecution of Offenses, Sec. 8.

Further, pursuant to prevailing jurisprudence, Celis was correctly ordered to pay each of the victims the amount of PHP 500,000.00 as moral damages and PHP 100,000.00 as exemplary damages.⁸⁶ These amounts shall earn 6% legal interest per annum from the finality of this Decision until fully paid.

ACCORDINGLY, the Appeal is hereby **DENIED**. The Court of Appeals' Decision dated February 26, 2021 is **AFFIRMED with MODIFICATIONS**, to wit:

- (1) In Criminal Case Nos. R-QZN-18-03111-CR, R-QZN-18-03113-CR, R-QZN-18-03114-CR, R-QZN-18-03116-CR, and R-QZN-18-03117-CR, the accused-appellant **JOKO CELIS y PINE A.K.A. "JAZTINE" OR "JOCO/JOKO"** is **GUILTY** of **QUALIFIED TRAFFICKING IN PERSONS** in violation of Section 4(a) in relation to Section 6 (a) and (c) of Republic Act No. 9208, as amended by Republic Act No. 10364 (Expanded Anti-Trafficking Act of 2012). He is sentenced to suffer the penalty of life imprisonment and to pay a fine of PHP 2,000,000.00. He is further ordered to separately pay AAA262197, BBB262197, CCC262197, DDD262197, FFF262197, GGG262197, III262197, and JJJ262197 PHP 500,000.00 as moral damages, and PHP 100,000.00 as exemplary damages;
- (2) In Criminal Case Nos. R-QZN-18-03112-CR and R-QZN-18-03115-CR, the accused-appellant **JOKO CELIS y PINE A.K.A. "JAZTINE" OR "JOCO/JOKO"** is **GUILTY** of **SIMPLE TRAFFICKING IN PERSONS** in violation of Section 4 (a) of Republic Act No. 9208, as amended by Republic Act No. 10364. He is sentenced to suffer the penalty of twenty (20) years of imprisonment and to pay a fine of PHP 1,000,000.00. He is further ordered to separately pay EEE262197 and HHH262197 PHP 500,000.00 as moral damages, and PHP 100,000.00 as exemplary damages;
- (3) All monetary awards for damages shall earn interest at the legal rate of 6% *per annum* from the date of finality of this Decision until fully paid.

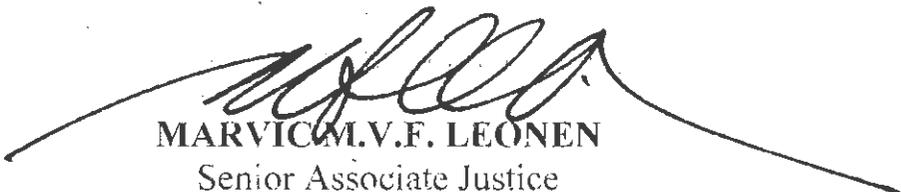
⁸⁶ *People v. XXX*, G.R. No. 248815, March 23, 2022 [Per J. Hernando, Second Division]; *People v. Aguirre*, 820 Phil. 1085 [Per J. Tijam, First Division].

SO ORDERED.

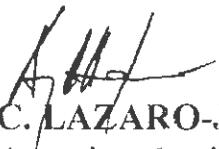


JHOSEP V. LOPEZ
Associate Justice

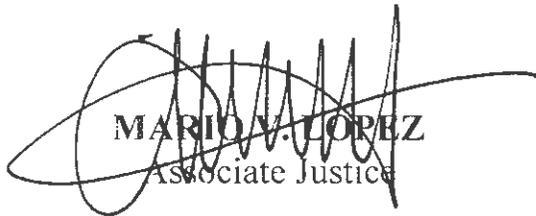
WE CONCUR:



MARVIC M.V.F. LEONEN
Senior Associate Justice
Chairperson



AMY C. LAZARO-JAVIER
Associate Justice



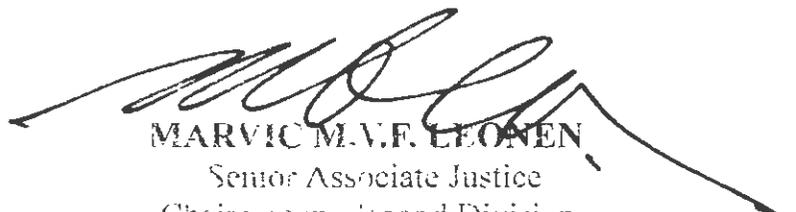
MARIO V. LOPEZ
Associate Justice



ANTONIO T. KHO, JR.
Associate Justice

ATTESTATION

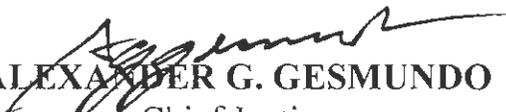
I attest that the conclusions in the above Decision had been reached in consultation before the case was assigned to the writer of the opinion of the Court's Division.



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

CERTIFICATION

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


ALEXANDER G. GESMUNDO
Chief Justice