



Republic of the Philippines  
Supreme Court  
Manila

SECOND DIVISION

PEOPLE OF THE PHILIPPINES,  
Plaintiff-Appellee,

G.R. No. 267609

Present:

-versus-

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

WILFREDA LAPUT CAMPOS  
a.k.a. "FREDA,"  
Accused-Appellant.

Promulgated:  
MAY 27 2024

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DECISION

LEONEN, *J.*:

Under the law, actual prostitution of a victim is not required for a trafficking case to prosper.<sup>1</sup> Moreover, the accused's knowledge of the victim's minority is "inconsequential with respect to qualifying the crime of Trafficking in Persons."<sup>2</sup>

This Court resolves an appeal assailing the Decision<sup>3</sup> of the Court of Appeals affirming the Regional Trial Court's conviction<sup>4</sup> of Wilfreda Laput Campos (Campos) for qualified trafficking of persons under Section 4(a) and

<sup>1</sup> *Ferrer v. People*, G.R. No. 223042, July 6, 2022 [Per J. Lazaro-Javier, Second Division] at 17. This pinpoint citation refers to a copy of the Decision uploaded to the Supreme Court website.

<sup>2</sup> *People v. Bandojo*, 842 Phil. 511, 526 (2018) [J. Reyes, Jr., Second Division].

<sup>3</sup> *Rollo*, pp. 10–24. The January 27, 2021 Decision in CA-G.R. CEB-CR HC No. 02846 was penned by Associate Justice Dorothy P. Montejo-Gonzaga and concurred in by Associate Justices Gabriel T. Ingles and Bautista G. Corpin, Jr. of the Eighteenth Division of the Court of Appeals, [REDACTED].

<sup>4</sup> *Id.* at 27–38. The January 12, 2018 Decision in Crim. Case No. CBU-106536 was penned by Presiding Judge Ester M. Veloso of Branch 6, Regional Trial Court, [REDACTED].

(e) in relation to Section 6(a) and (c), of Republic Act No. 9208 or the “Anti-Trafficking in Persons Act of 2003,” as amended by Republic Act No. 10364 or the “Expanded Anti-Trafficking in Persons Act of 2012.”

The Information charging Campos with qualified trafficking in persons under Republic Act No. 9208, as amended, states:

That on the 7<sup>th</sup> day of November 2014, at around 6:00 o'clock in the evening, and sometime prior thereto, at [REDACTED], [REDACTED], Province of Cebu, Philippines, and within the jurisdiction of this Honorable Court, the above-named accused being the owner of “Freda’s KTV Bar”, did then and there willfully, unlawfully and feloniously, commit trafficking in persons in large scale and with a minor victim, by obtaining, harboring, hiring, maintaining and/or providing [AAA, BBB, and CCC], 16 years old, by means of fraud, deception and taking advantage of the victims’ vulnerability for purposes of prostitution and sexual exploitation.

The commission of the crime is attended to by qualifying circumstances having been committed against a child ([CCC]) and in large scale.

CONTRARY TO LAW.<sup>5</sup>

On arraignment, Campos pleaded not guilty to the offense charged.<sup>6</sup> Thereafter, trial on the merits ensued.

During pre-trial, the parties made the following admissions:

1. Campos is the owner of Freda’s KTV Bar in [REDACTED], [REDACTED], Cebu; and
2. CCC was a minor at the time the offense was committed. However, Campos did not know of such minority.<sup>7</sup>

The prosecution presented as its witnesses National Bureau of Investigation Agent Rey Villordon (Agent Villordon) and the three offended parties, AAA, BBB, and CCC.<sup>8</sup> AAA is the live-in partner of Campos’s daughter, DDD,<sup>9</sup> and the aunt of BBB and CCC.<sup>10</sup> CCC was only 16 years old<sup>11</sup> at the time of the commission of the crime as established by her Certificate of Live Birth.<sup>12</sup>

<sup>5</sup> *Id.* at 27–28.

<sup>6</sup> *Id.* at 12.

<sup>7</sup> *Id.* at 28.

<sup>8</sup> *Id.* at 28–33.

<sup>9</sup> DDD is sometimes referred to as [REDACTED] in the Regional Trial Court Decision and [REDACTED] in the Brief for the Appellant-accused. *See CA rollo*, pp. 42 and 33, respectively.

<sup>10</sup> *Rollo*. at 12–13.

<sup>11</sup> *Id.* at 27.

<sup>12</sup> *Id.* at 28.

According to the prosecution, the National Bureau of Investigation received information from the International Justice Mission that Freda's KTV and Susan's KTV bars located along [REDACTED], [REDACTED], [REDACTED], [REDACTED], Cebu, were involved in the trafficking of girls for sexual exploitation. It was suspected that some of the girls were minors.<sup>13</sup>

Sometime in October 2014,<sup>14</sup> Agent Villordon together with other undercover agents conducted surveillance operations at Freda's KTV bar. The team, posing as customers, went into the bar and had a conversation with Campos. Agent Villordon confirmed that Campos was the owner of the bar and that customers could avail of girls for sexual services for a "bar fine" of PHP 2,000.00.<sup>15</sup> During the surveillance operations, the team paid for the company of the three offended parties but only took them out for a meal.<sup>16</sup>

On November 7, 2014, the National Bureau of Investigation planned an entrapment and rescue operation. A team was formed, and Agent Villordon was designated as the poseur buyer. The team prepared marked money and dusted it with fluorescent powder. To record the transaction, a surveillance camera was hidden in Agent Villordon's bag.<sup>17</sup>

At around 3:00 p.m. of the same day, the team went to Freda's KTV bar. Upon their arrival, they saw the three offended parties and DDD who was stationed as the cashier. The team ordered drinks and chatted with the girls. Agent Villordon inquired if Campos was there and if they could take the offended parties out for sex. The offended parties responded and told him to talk to Campos. Agent Villordon then called the attention of DDD who in turn went outside and called Campos from her store.<sup>18</sup>

Campos arrived and told Agent Villordon that they could take the girls out for sex. The initial bar fine was PHP 1,500.00 per girl but Agent Villordon negotiated with Campos and they finally agreed on PHP 4,000.00 for all three girls.<sup>19</sup>

Agent Villordon gave the marked money to Campos. When Campos received the marked money, she went outside and returned to her store. Agent Villordon then alerted the assault team who immediately arrived at the scene and arrested Campos. An inventory was then conducted. Although the marked money was co-mingled with other bills in Campos's store, Agent

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<sup>13</sup> *Id.* at 12.

<sup>14</sup> *Id.* at 30.

<sup>15</sup> *Id.*

<sup>16</sup> *Id.* at 29-32.

<sup>17</sup> *Id.* at 13.

<sup>18</sup> *Id.* at 13, 30.

<sup>19</sup> *Id.* at 13.

Villordon was still able to identify them through their serial numbers. Two pieces of the marked money were recovered.<sup>20</sup>

The team brought Campos to the police station for purposes of fingerprinting, taking of photographs, and examination by the forensic chemist for the presence of fluorescent powder on her hands which yielded positive results.<sup>21</sup>

After they had been rescued, AAA, BBB and CCC were all taken to the Crisis Intervention Unit of the Department of Social Welfare and Development.<sup>22</sup> The prosecution later formally offered in evidence CCC's Certificate of Live Birth to prove that she was a minor at the time of the commission of the crime.<sup>23</sup>

In their testimonies, the three offended parties confirmed that Campos was the owner of the KTV bar and that they agreed to work at the bar due to their financial difficulties. They were promised free lodging and commissions for the drinks they sold.<sup>24</sup> All of them recalled the time when they met Agent Villordon who was introduced to them as "Kuya Bernie." They testified that sometime in October 2014, Agent Villordon went to Freda's KTV bar and paid Campos so that he could take them out. Agent Villordon only took them out to eat at [REDACTED]. The next time they saw Agent Villordon was on the day of the rescue operation.<sup>25</sup>

CCC testified that it was either Campos or DDD who decided who would entertain the customers. CCC also explained that taking the girls out also meant having sex with the customers.<sup>26</sup> This was also corroborated by AAA in her testimony. AAA testified that Agent Villordon was the first customer who she allowed to bring her out since he only asked if they could eat dinner, as compared to other customers' invites which she declined since they were for sex.<sup>27</sup> AAA also testified that it was Campos who recruited her because she needed help to run the KTV bar. AAA accepted the offer because she needed the money.<sup>28</sup>

Campos testified in her defense. She denied ever offering AAA, BBB, and CCC to customers for sex in exchange for a bar fine. She admitted to being the owner of Freda's KTV Bar. However, she alleged that she only established the bar through the prodding of her daughter, DDD and the latter's

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<sup>20</sup> *Id.* at 13–14.

<sup>21</sup> *Id.* at 14.

<sup>22</sup> *Id.* at 33.

<sup>23</sup> *Id.* at 28.

<sup>24</sup> *Id.* at 17.

<sup>25</sup> *Id.* at 29, 31, and 32.

<sup>26</sup> *Id.* at 29.

<sup>27</sup> *Id.* at 33.

<sup>28</sup> *Id.* at 32.

live-in partner, AAA, both of whom managed the bar. She also alleged that it was AAA who recruited BBB and CCC.<sup>29</sup>

Campos contended that she never authorized the girls to go out with customers for sexual engagements. She claimed that whenever the girls go out with customers, they only do so to have a meal with them. The bar fine represented the payment to cover what was spent outside the KTV bar. She admitted to receiving PHP 4,000.00 from a customer on November 7, 2004, but insisted that she received the money because DDD told her that the customer wanted her to personally receive it. The money was eventually taken back from her by the customer who then declared that it was a raid. On the same day, she was arrested by the police.<sup>30</sup>

In the January 12, 2018 Judgment,<sup>31</sup> the Regional Trial Court found Campos guilty beyond reasonable doubt of the crime of qualified human trafficking. It held that Campos committed the crime by peddling AAA, BBB and CCC to a customer for sex in exchange for money. The offense was qualified since one of the offended parties was a minor.<sup>32</sup>

The Regional Trial Court ruled that actual sexual intercourse between the customer and any of the offended parties was not necessary because the crime was already consummated by the mere solicitation of the offended parties for sex and the customer's payment to Campos. It also ruled that Campos's mere denial did not overturn the positive assertions of the prosecution's witnesses.<sup>33</sup>

The dispositive portion of the Regional Trial Court's Judgment reads:

**WHEREFORE**, the court finds the accused **WILFREDA LAPUT CAMPOS a.k.a. FREDA** guilty beyond reasonable doubt of the crime of Violation of Sec. 4 (a) & (e) in relation to Sec. 6(a) & 6(c) of R.A. 9208, as amended by R.A. 10364 and sentences her to suffer the penalty of life imprisonment, without eligibility for parole, in accordance with Section 3 of Republic Act No. 9346, and to pay a fine of P2,000,000.00. The accused is ordered to pay each of the offended parties [AAA, BBB, and CCC] moral damages of P500,000.00 and exemplary damages of P100,000.00 with interest of 6% per annum on all damages, to be computed from the time the judgment becomes final until fully paid; and to pay the costs.

**SO ORDERED.**<sup>34</sup> (Emphasis in the original)



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<sup>29</sup> *Id.* at 14.

<sup>30</sup> *Id.* at 34.

<sup>31</sup> *Id.* at 27–38.

<sup>32</sup> *Id.* at 37–38.

<sup>33</sup> *Id.* at 37.

<sup>34</sup> *Id.* at 38.

Campos appealed the Regional Trial Court's Judgment before the Court of Appeals. In a November 6, 2020 Resolution,<sup>35</sup> the Court of Appeals resolved to admit Campos's Brief and noted the Judicial Records Section Verification Report stating that the Office of the Solicitor General did not file an Appellee's Brief.<sup>36</sup> The Court of Appeals considered the Office of the Solicitor General to have waived the filing thereof and declared the case submitted for decision.<sup>37</sup>

In its assailed January 27, 2021 Decision,<sup>38</sup> the Court of Appeals affirmed the Regional Trial Court's Decision.<sup>39</sup> It held that the prosecution was able to prove all the elements of qualified trafficking in persons. First, the act of recruitment was sufficiently established when BBB testified that she was recruited by Campos to work at the KTV bar. She also testified that Campos received all the proceeds from the KTV bar.<sup>40</sup> Second, in terms of the means used, Campos took advantage of CCC's minority and the dire financial needs of BBB and CCC.<sup>41</sup> Lastly, the purpose of the recruitment was to offer girls to customers for sex in exchange for money.<sup>42</sup>

The Court of Appeals found no merit in Campos's argument that she was convicted based solely on the uncorroborated testimony of Agent Villordon. It held that the testimonies of BBB and CCC duly corroborated<sup>43</sup> Agent Villordon's testimony that Campos offered girls to customers for sexual engagements.<sup>44</sup> It also held that based on emerging jurisprudence, prosecution for human trafficking cases rely heavily on entrapment operations and consequently, the apprehending officers' testimonies were crucial for a conviction.<sup>45</sup> To the Court of Appeals, Agent Villordon clearly narrated what transpired during the surveillance operation which eventually led to the arrest of Campos wherein she was caught *in flagrante delicto* in accepting money for offering the private offended parties to be taken out for sex.<sup>46</sup>

The Court of Appeals rejected Campos's contention that since she was not aware of CCC's age, the latter's minority cannot be taken against her. The Court of Appeals ruled that Campos's knowledge of CCC's minority was inconsequential to qualify the crime of trafficking in persons as CCC's minority was sufficiently established by the prosecution.<sup>47</sup>

The dispositive portion of the Court of Appeals Decision reads:

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<sup>35</sup> CA rollo, pp. 55–56.

<sup>36</sup> *Id.* at 55.

<sup>37</sup> *Id.*

<sup>38</sup> Rollo, pp. 10–24.

<sup>39</sup> *Id.* at 23.

<sup>40</sup> *Id.* at 17.

<sup>41</sup> *Id.*

<sup>42</sup> *Id.* at 19.

<sup>43</sup> *Id.* at 20–21.

<sup>44</sup> *Id.* at 18–19.

<sup>45</sup> *Id.* at 17–18.

<sup>46</sup> *Id.* at 18–19.

<sup>47</sup> *Id.* at 23.

**WHEREFORE**, premises considered, the petition is **DENIED**. The January 12, 2018 *Judgment* of the Regional Trial Court (RTC), Branch 6, [REDACTED], in Criminal Case No. CBU-106536 is **AFFIRMED IN TOTO**.

**SO ORDERED.**<sup>48</sup> (Emphasis in the original)

On April 27, 2023, Campos filed a Notice of Appeal.<sup>49</sup>

In an August 7, 2023 Resolution, this Court required the parties to file their supplemental briefs.<sup>50</sup>

Accused-appellant, through counsel, filed her Supplemental Brief.<sup>51</sup> In view of appellee's failure to file a brief with the Court of Appeals, appellee through the Office of the Solicitor General filed an Appellee's Brief in lieu of Supplemental Brief.<sup>52</sup>

Accused-appellant argues that the only thing that the prosecution established was the fact that customers went out with the girls to eat outside of the KTV bar. Accused-appellant contends that the prosecution failed to establish the fact that the offended parties went out with the customers to have sex with them.<sup>53</sup>

Accused-appellant insists that her guilt was merely based on Agent Villordon's testimony as the offended parties never admitted that accused-appellant committed any act against them. She avers that the prosecution had no evidence to prove that she coerced the offended parties to go out with customers to have sex with them in exchange of a bar fine.<sup>54</sup>

The issue for this Court's resolution is whether accused-appellant Wilfreda Laput Campos is guilty beyond reasonable doubt of qualified human trafficking, as punished by Section 4(a) and (e), in relation to Section 6(a) and (c), of Republic Act No. 9208, as amended by Republic Act No. 10364.

This Court denies the appeal and sustains the conviction of accused-appellant.

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<sup>48</sup> *Id.*

<sup>49</sup> *Id.* at 5.

<sup>50</sup> *Id.* at 39-40.

<sup>51</sup> *Id.* at 74-85.

<sup>52</sup> *Id.* at 44-55.

<sup>53</sup> CA rollo, p.36.

<sup>54</sup> *Id.* at 37.

The offense of trafficking in persons is defined in Section 3(a) of Republic Act No. 9208 or the Anti-Trafficking in Persons Act as amended by Republic Act No. 10364 or the Expanded Anti-Trafficking in Persons Act of 2012:

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.

In *People v. Casio*,<sup>55</sup> the elements of trafficking in persons were enumerated based on its expanded definition:

Under Republic Act No. 10364, the elements of trafficking in persons have been expanded to include the following acts:

- (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[.]”<sup>56</sup> (Emphasis in original)

In this case, the accused-appellant was charged with violation of qualified trafficking in persons, punishable under Section 4(a) and (e) of the Expanded Anti-Trafficking in Persons Act of 2012. The acts punishable under said provisions are as follows:

<sup>55</sup> 749 Phil. 458 (2014) [Per J. Leonen, Third Division].

<sup>56</sup> *Id.* at 474.

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;

....

- (e) To maintain or hire a person to engage in prostitution or pornography[.]

Section 6 of Republic Act No. 9208 provides for the circumstances that qualify the crime. Here, the particular qualifying circumstances are “the trafficked person is a child”<sup>57</sup> and “the crime is committed...in large scale”<sup>58</sup> as provided in Section 6(a) and (c). Qualified trafficking is “committed in large scale if committed against three (3) or more persons, individually or as a group.”<sup>59</sup>

All the elements of qualified trafficking in persons are present in this case.

With respect to the first element, the acts of obtaining and hiring was sufficiently established through AAA’s testimony. She testified that she was recruited by accused-appellant to help run the KTV bar that accused-appellant owned.<sup>60</sup> Accused-appellant’s ownership of the KTV bar was also confirmed by BBB and CCC in their testimonies.<sup>61</sup> Accused-appellant also committed the act of offering the girls to customers for sex as seen in the entrapment and rescue operation conducted by the National Bureau of Investigation headed by Agent Villordon.<sup>62</sup>

On the element of the means used, accused-appellant took advantage of the victims’ financial vulnerability by offering them work and providing them lodging.<sup>63</sup> Moreover, accused-appellant took advantage of CCC’s minority. CCC’s minority was sufficiently alleged in the Information and proven by the prosecution through her Birth Certificate.<sup>64</sup> As held in *People v. De Dios*,<sup>65</sup> “trafficking in persons may be committed also by means of taking advantage of the persons’ vulnerability as minors.”<sup>66</sup>

<sup>57</sup> Republic Act No. 9208 (2003), sec. 6(a).

<sup>58</sup> Republic Act No. 9208 (2003), sec. 6(c).

<sup>59</sup> Republic Act No. 9208 (2003), sec. 6(c).

<sup>60</sup> *Rollo*, p.32.

<sup>61</sup> *Id.* at 17.

<sup>62</sup> *Id.* at 13.

<sup>63</sup> *Id.*

<sup>64</sup> *Id.* at 27–28.

<sup>65</sup> 832 Phil. 1034 (2018) [J. Reyes, Jr., Second Division].

<sup>66</sup> *Id.* at 1044.

On the third element of purpose of trafficking, accused-appellant's act of obtaining, hiring, and offering the girls to customers for sexual engagements were done in exchange for money. This was clearly established in Agent Villordon's testimony:

Q: What were your findings of your surveillance operation at Freda's KTV?

A: That Freda's KTV Bar, the owner, Freda Campos, offered minor girls at the price of P2,000.00.

COURT: (to witness)

Q: Offering minors for what?

A: A bar fine of P2,000.00.

Q: You mentioned bar fine, what do you mean by bar fine?

A: Bar fine that is the fine that the male customer would pay to the owner of the establishment for the girls whether minor or not to be taken out for sex.

Q: How were you able to know that that was the meaning of bar fine in that establishment?

A: In our conversation with the owner she allowed us to take the girls out of their place to have sex.

Q: What else were you able to discover aside from the bar fine during your surveillance with respect to the operation of Freda's KTV Bar?

A: There were minor girls.

....

Q: Base[d] on your conversation with Freda, what was the agreed bar fine for the girls?

A: P1,500 per girl.

Q: In your transaction, how many girls did you agree to be taken out for sex?

A: I asked Freda that I should take 3 girls and I should pay around P4,000.00 instead of P4,500.00

Q: What did Freda tell if Freda told you the specific services that will be covered with the P1,500.00 per girl rate?

....

A: Again, primarily for sex.

Q: And after you agreed [on] the price, what did you do next?

A: I pulled out my wallet and I handed the money to Freda.

Q: What did Freda do with the money?

A: She received it and accepted it.<sup>67</sup>

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<sup>67</sup> Rollo, pp. 18-20.

Agent Villordon's testimony was duly corroborated by the testimonies of the offended parties.<sup>68</sup> The offended parties recalled the events during the entrapment operation where accused-appellant was caught in the act of accepting the marked money from Agent Villordon in exchange for taking them out for sexual services.<sup>69</sup>

Accused-appellant's argument that she cannot be held liable for the crime of trafficking since BBB did not engage in any sexual intercourse with a customer during her employment,<sup>70</sup> is untenable. In *Ferrer v. People*,<sup>71</sup> the Court emphasized that actual prostitution of a victim is not required for a trafficking case to prosper:

Indeed, what is essential under RA 9208 is that a person is recruited and transported for the purpose of prostitution. The victim does not have to be actually subjected to prostitution, had danced as a GRO, or had sex with a client before the recruiters can be held liable under the law. Precisely, the law was passed to curtail human trafficking. This entails punishing the acts themselves that would lead to prostituting the victims, as here.<sup>72</sup>

As to the qualifying circumstance of minority, the prosecution proved that CCC was a minor at the time of the commission of the crime, being only 16 years old then.<sup>73</sup> The prosecution also established that the crime was committed in large scale given that it was committed against three victims.<sup>74</sup>

Accused-appellant contends that CCC's minority could not be used against her given that she had no knowledge of CCC's age during the latter's employment. This has no merit.

Under Section 6(a) of Republic Act No. 9208, the crime of trafficking in persons is qualified once it is proven that the trafficked person is a child.<sup>75</sup> Consequently, the accused-appellant's knowledge of the victim's minority is "inconsequential with respect to qualifying the crime of Trafficking in Persons."<sup>76</sup>

All things considered, the prosecution duly established accused-appellant's commission of the crime of qualified trafficking of persons, as defined under Section 4(a) and (e) in relation to Section 6(a) and (c), of Republic Act No. 9208, as amended by Republic Act No. 10364.

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<sup>68</sup> *Rollo*, p. 20-21.

<sup>69</sup> *Id.*

<sup>70</sup> *Id.* at 81.

<sup>71</sup> G.R. No. 223042, July 6, 2022 [Per J. Lazaro-Javier, Second Division]

<sup>72</sup> *Id.*

<sup>73</sup> *Rollo*, p.27.

<sup>74</sup> *Id.* at 17.

<sup>75</sup> *People v. Bandojo*, 842 Phil. 511, 526 (2018) [J. Reyes, Jr., Second Division].

<sup>76</sup> *Id.*

Consequently, the imposition against accused-appellant of the penalty for qualified human trafficking, as provided by Section 10(e)<sup>77</sup> of the Act, as amended, is justified. However, the deletion of the phrase “without eligibility for parole” is in order. According to Administrative Matter No. 15-08-02-SC or the Guidelines for the Proper Use of the Phrase “*Without Eligibility for Parole*” in Indivisible Penalties, “where the death penalty is not warranted, there is no need to use the phrase ‘*without eligibility for parole*’ to qualify the penalty of *reclusion perpetua*; it is understood that convicted persons penalized with an indivisible penalty are not eligible for parole.”<sup>78</sup>

The award of moral and exemplary damages is also justified. In *People v. Lalli*,<sup>79</sup> the Court explained the basis for payment of moral and exemplary damages for the crime of trafficking in persons:

The payment of ₱500,000 as moral damages and ₱100,000 as exemplary damages for the crime of Trafficking in Persons as a Prostitute finds basis in Article 2219 of the Civil Code, which states:

Art. 2219. Moral damages may be recovered in the following and analogous cases:

- (1) A criminal offense resulting in physical injuries;
- (2) Quasi-delicts causing physical injuries;
- (3) Seduction, abduction, rape, or other lascivious acts;
- (4) Adultery or concubinage;
- (5) Illegal or arbitrary detention or arrest;
- (6) Illegal search;
- (7) Libel, slander or any other form of defamation;
- (8) Malicious prosecution;
- (9) Acts mentioned in Article 309;
- (10) Acts and actions referred to in Articles 21, 26, 27, 28, 29, 30, 32, 34, and 35

....

The criminal case of Trafficking in Persons as a Prostitute is an analogous case to the crimes of seduction, abduction, rape, or other lascivious acts. In fact, it is worse. To be trafficked as a prostitute without one’s consent and to be sexually violated four to five times a day by different strangers is horrendous and atrocious. There is no doubt that Lolita experienced physical suffering, mental anguish, fright, serious anxiety, besmirched reputation, wounded feelings, moral shock, and social humiliation when she was trafficked as a prostitute in Malaysia. Since the crime of Trafficking in Persons was aggravated, being committed by a syndicate, the award of exemplary damages is likewise justified.<sup>80</sup>

<sup>77</sup> Section 10(e) of Republic Act No. 9208, as amended, states that “[a]ny person found guilty of qualified trafficking under Section 6 [of the Act] shall suffer the penalty of life imprisonment and a fine of not less than Two million pesos (P2,000,000.00) but not more than Five million pesos (P5,000,000.00).”

<sup>78</sup> SC Administrative Matter No. 15-08-02-SC, August 4, 2015, Guidelines for the Proper Use of the Phrase “*Without Eligibility for Parole*” in Indivisible Penalties.

<sup>79</sup> 675 Phil. 126 (2011) [Per J. Carpio, Second Division].

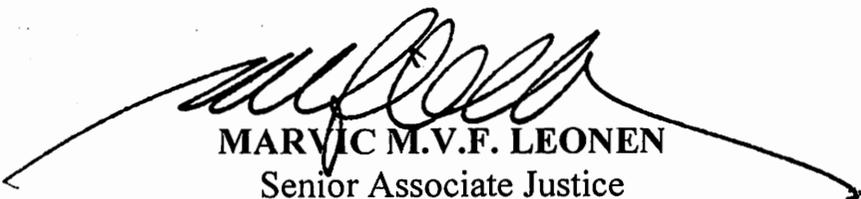
<sup>80</sup> *Id.* at 158–159.

Thus, accused-appellant 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. Pursuant to *People v. Jugueta*,<sup>81</sup> these amounts “are subject to interest at the rate of 6% per annum from the finality of [the] decision until fully paid.”<sup>82</sup>

**ACCORDINGLY**, the appeal is **DISMISSED**. The January 27, 2021 Decision of the Court of Appeals in CA-G.R. CEB-CR HC No. 02846 is hereby **AFFIRMED**. Accused-appellant Wilfreda Laput Campos a.k.a. “Freda” is found **GUILTY** beyond reasonable doubt of qualified human trafficking, under Section 4(a) and (e) in relation to Section 6(a) and (c) of Republic Act No. 9208, as amended by Republic Act No. 10364.

Wilfreda Laput Campos a.k.a. “Freda” is thus sentenced to suffer the penalty of life imprisonment, and **ORDERED** to **PAY** a fine of PHP 2,000,000.00 and to **PAY** the victims, AAA, BBB, and CCC PHP 500,000.00 each in moral damages and PHP 100,000.00 each in exemplary damages, both sums with legal interest of 6% per annum from the finality of this Decision until fully paid.

**SO ORDERED.**



MARVIC M.V.F. LEONEN  
Senior Associate Justice

<sup>81</sup> 783 Phil. 806 (2016) [Per J. Peralta, *En Banc*].

<sup>82</sup> *Id.* at 854. (Citation omitted)

WE CONCUR:

  
**AMY C. LAZARO-JAVIER**  
Associate Justice

  
**MARIO V. LOPEZ**  
Associate Justice

  
**JHOSEP Y. LOPEZ**  
Associate Justice

  
**ANTONIO T. KHO, JR.**  
Associate Justice

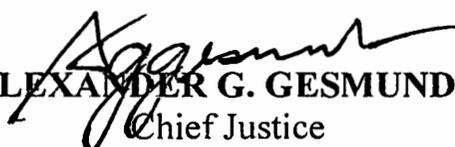
**ATTESTATION**

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

**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 the Court's Division.

  
**ALEXANDER G. GESMUNDO**  
Chief Justice