

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Batasan Hills, Quezon City

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. 5200



Introduced by Honorable Representative

SARAH JANE I. ELAGO (Gabriela Women's Party)

**AN ACT DECLARING AUGUST FOURTEEN OF EVERY YEAR
AS THE "NATIONAL MEMORIAL DAY FOR COMFORT WOMEN",
PROVIDING FUNDS THEREFOR, AND FOR OTHER PURPOSES**

EXPLANATORY NOTE

The term "comfort women" is a euphemism used by the Japanese Imperial Army during World War II to refer to women who provide sexual services to Japanese soldiers in comfort houses or stations.¹ These comfort houses or stations were set up by the Japanese Imperial Army in countries they occupied and were exclusively used by their troops and soldiers.² It is estimated that from 1932-1945, around 80,000 to 200,000 comfort women were in captivity by the Japanese Imperial Army,³ eighty percent of whom are Korean.⁴ In the Philippines, around one thousand (1,000) women were kept as comfort women.⁵

From 1942 to 1945, the Japanese Imperial Army colonized the Philippines. As they occupied different parts of the country, the Japanese Imperial Army also set up comfort stations in those

¹ Primer on Filipino "Comfort Women": Questions and Answers By the Task Force on Filipino Victims of Military Sexual Slavery by Japan Secretariat

<http://www.bataanlegacy.org/uploads/3/4/7/6/34760003/filipinocomfortwomen.pdf>

² <https://www.asianstudies.org/publications/ea/archives/teaching-about-the-comfort-women-during-world-war-ii-and-the-use-of-personal-stories-of-the-victims/>

³ MEDIA FOR JUSTICE AND HEALING: The Case of Philippine Comfort Women Survivors, Myrna Elizabeth P. Borromeo

<https://www.journals.upd.edu.ph/index.php/rws/article/view/3529/3262>

⁴ An Evaluative Research in the Implementation of the Assistance to Lolas in Crisis Situation (ALCS) Project, Department of Social Welfare and Development, <https://www.awf.or.jp/pdf/ALCS.pdf>

⁵ An Evaluative Research in the Implementation of the Assistance to Lolas in Crisis Situation (ALCS) Project, Department of Social Welfare and Development, <https://www.awf.or.jp/pdf/ALCS.pdf>

areas.⁶ The Japanese Imperial Army forcibly sent girls and young women, with ages usually ranging from twelve (12) to seventeen (17) years old,⁷ to the comfort stations. These girls and young women were captured through force, coercion, and threat from their homes or while they were running errands for their parents.⁸ These girls and young women would be forced to stay in the comfort stations and would be required to provide sexual pleasure to Japanese soldiers, usually thirty to forty (30-40) times on weekdays, and sixty to one hundred (60-100) times on weekends.⁹ In a research project conducted by the Department of Social Welfare and Development,¹⁰ surviving Filipino comfort women who were interviewed confirmed to having been taken to military camps or garrisons to be raped and kept there to have sex with different Japanese soldiers. The period of their confinement ranged from three (3) days to more than one (1) year.¹¹

The full extent of the sexual atrocities committed by the Japanese Imperial Army was publicly known and scrutinized only in the 1990s, when survivors of comfort stations started coming forward to speak about their experiences.¹² In 1992, Maria Rosa Luna Henson (Lola Rosa), then sixty-five (65) years old, came forward with her story and narrated her plight to the Task Force on Filipino Comfort Women, a non-government organization launched to search for remaining survivors and raise awareness about Filipino comfort women. In September 1992, her story was publicized, leading hundreds of other Filipina survivors to come forward with their stories.¹³ Since Lola Rosa came forward, there have been around four hundred documented Filipina survivors.¹⁴

In addition, non-government organizations have been organized to assist the surviving Filipina comfort women, or the *Lolas*, in seeking redress from the Japanese government in the form of an official state apology and legal compensation for the atrocities and injustice done by the Japanese Imperial Army to the *Lolas* during World War II. One such organization, Lila Filipina, was formed in 1994, and initially consisted of around one hundred seventy-five (175) documented survivors.¹⁵ Through sustaining public campaigns, demanding legal assistance from the Philippine government as Filipina comfort women survivors seek redress, and filing of court cases against the Japanese

⁶ [Women made to be Comfort Women - Philippines \(awf.or.jp\)](http://www.awf.or.jp)

⁷ Primer on Filipino "Comfort Women": Questions and Answers By the Task Force on Filipino Victims of Military Sexual Slavery by Japan Secretariat, <http://www.bataanlegacy.org/uploads/3/4/7/6/34760003/filipinocomfortwomen.pdf>

⁸ An Evaluative Research in the Implementation of the Assistance to *Lolas* in Crisis Situation (ALCS) Project, <https://www.awf.or.jp/pdf/ALCS.pdf>

⁹ Primer on Filipino "Comfort Women": Questions and Answers By the Task Force on Filipino Victims of Military Sexual Slavery by Japan Secretariat

<http://www.bataanlegacy.org/uploads/3/4/7/6/34760003/filipinocomfortwomen.pdf>

¹⁰ An Evaluative Research in the Implementation of the Assistance to *Lolas* in Crisis Situation (ALCS) Project, Department of Social Welfare and Development, <https://www.awf.or.jp/pdf/ALCS.pdf>

¹¹ An Evaluative Research in the Implementation of the Assistance to *Lolas* in Crisis Situation (ALCS) Project, Department of Social Welfare and Development, <https://www.awf.or.jp/pdf/ALCS.pdf>

¹² MEDIA FOR JUSTICE AND HEALING: The Case of Philippine Comfort Women Survivors, Myrna Elizabeth P. Borromeo, <https://www.journals.upd.edu.ph/index.php/rws/article/view/3529/3262>

¹³ <https://www.journals.upd.edu.ph/index.php/rws/article/view/3529/3262> page 93

¹⁴ *Id.*

¹⁵ *Id.*

government, the Lila Filipina, alongside other advocacy organizations, have continuously attempted to find recourse for the surviving *Lolas*.

Despite the media attention and the legal proceedings initiated, the Japanese government has yet to issue an unequivocal official apology to the *Lolas*. While different Japanese Prime Ministers have expressed their personal apologies for the plight of the *Lolas*, such have only been personal rather than the long sought-after public recognition and apology from the Japanese government.¹⁶

Meanwhile, there is a glaring lack of formal recognition and support from the Philippine government as accorded to the *Lolas*, whether in their fight for justice or even sustaining their everyday lives.¹⁷ On the commemoration of International Women's Day last March 8, 2023,¹⁸ the United Nations (UN) announced that the Committee on the Elimination of Discrimination against Women (CEDAW) has issued its Decision¹⁹ on a 2019 complaint against the Philippines filed by twenty-four (24) Filipina members of *Malaya Lolos*, another non-government organization which was established in 1997 to assist surviving comfort women who were held in *Bahay na Pula*, Candaba, Pampanga.²⁰ The *Malaya Lolos* members claimed that the failure of the Philippines to fight for their cause has resulted in a continuing discrimination against them on restitution, compensation, and rehabilitation,²¹ contrary to the Philippines' obligation as a State Party to the Convention on the Elimination of All Forms of Discrimination against Women. The CEDAW ruled that the Philippines failed to establish legislation and complaints mechanisms, as well as to make sure that such mechanisms are effective and accessible to the comfort women.²²

While the CEDAW Decision is a welcome ruling for the *Lolas*, it also reflects the struggle endured by the *Lolas* in fighting for genuine justice and gaining recognition and redress from both the Japanese and Philippine governments. Meanwhile, the number of living comfort women survivors are dwindling. It has been more than thirty (30) years since Lola Rosa started the movement by telling her story. From the four hundred (400) estimated comfort women survivors recorded in the

¹⁶ <https://newsinfo.inquirer.net/1061334/p2fb-remembering-the-filipino-comfort-women>

¹⁷ MEDIA FOR JUSTICE AND HEALING: The Case of Philippine Comfort Women Survivors, Myrna Elizabeth P. Borromeo, <https://www.journals.upd.edu.ph/index.php/rws/article/view/3529/3262>

¹⁸ <https://www.ohchr.org/en/press-releases/2023/03/philippines-failed-redress-continuous-discrimination-and-suffering-sexual#:~:text=These%20victims%2C%20commonly%20known%20as,system%20during%20World%20War%20II.>

¹⁹

https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CEDAW%2FC%2F84%2FD%2F155%2F2020&Lang=en

²⁰ MEDIA FOR JUSTICE AND HEALING: The Case of Philippine Comfort Women Survivors, Myrna Elizabeth P. Borromeo, <https://www.journals.upd.edu.ph/index.php/rws/article/view/3529/3262>

²¹ <https://www.ohchr.org/en/press-releases/2023/03/philippines-failed-redress-continuous-discrimination-and-suffering-sexual#:~:text=These%20victims%2C%20commonly%20known%20as,system%20during%20World%20War%20II.>

²²

https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CEDAW%2FC%2F84%2FD%2F155%2F2020&Lang=en

1990s, only forty (40) *Lolas* are reportedly still alive as of April 2024.²³ Most, if not all, of these *Lolas* are already in their 90s, old and sickly, even bedridden.²⁴ Yet, until now, they have yet to see justice prevail.

This Bill seeks to designate August Fourteen (14) of every year as the National Memorial Day for Comfort Women. August 14 has been declared as the International “Comfort Women” Day to commemorate the day that Kim Hak Sun, a Korean woman, came forward to publicly tell her story of being a comfort woman, or sex slave of the Imperial Japanese Army, during World War II.²⁵ She was the first to do so, and her bravery spurred more women to come forward and share their side, as well as prompted the international community to raise awareness on the existence and experiences of comfort women during World War II.

This law aims to commemorate the bravery of comfort women in imparting their accounts of the war crimes and sexual violence perpetrated against them by the Japanese Imperial Army, alongside their continuing struggle for genuine justice and reparation. It aims to ensure that the stories of the *Lolas* will continue to be chronicled and remembered, towards fostering a critical awareness of the atrocities and injustices brought about by incessant wars to innocent people, especially to vulnerable sectors such as the women.

In view of the foregoing, the passage of this bill is earnestly sought.



REP. SARAH JANE I. ELAGO
Gabriela Women's Party

²³ <https://www.telegraph.co.uk/global-health/women-and-girls/philippines-comfort-women-second-world-war-japan-army/>

²⁴ *Id.*

²⁵ <https://www.koreaherald.com/view.php?ud=20140817000197>

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**AN ACT DECLARING AUGUST FOURTEEN OF EVERY YEAR
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PROVIDING FUNDS THEREFOR, AND FOR OTHER PURPOSES**

Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

SECTION 1. *Short Title.* – This Act shall be known as the “National Memorial Day for Comfort Women Act”.

SECTION 2. *National Memorial Day for Comfort Women.* – In recognition of the atrocities committed against Filipinas as comfort women during World War II, and to honor their courage in coming forward to share their stories and fight for justice, August Fourteen (14) of every year is hereby declared as the National Memorial Day for Comfort Women.

SECTION 3. *Coordination with Relevant Agencies and Organizations.* – The National Historical Commission of the Philippines (NHCP), in coordination with the Philippine Commission on Women (PCW), the Commission on Human Rights (CHR), women non-governmental organizations (NGOs), and other civil society organizations advocating for justice for comfort women during World War II, shall work together to raise awareness and disseminate necessary information to the general public to ensure active and meaningful people’s participation in the observance of the National Memorial Day for Comfort Women.

SECTION 4. *Observance in Educational Institutions.* – The Department of Education (DepEd) and the Commission on Higher Education (CHED) shall promote and facilitate activities for the

observance of National Memorial Day for Comfort Women in public and private schools, colleges, and universities.

SECTION 5. *Media and Public Awareness.* – The Philippine Information Agency (PIA) shall be mandated to allocate a minimum of one (1) hour airtime for programs exclusively raising public awareness on the plight of comfort women and the overall effect of wartime sexual slavery on women and society at large. Relative thereto, all television and radio networks nationwide are encouraged to allocate airtime for the said programs.

SECTION 6. *Publication.* – Publishers of local newspapers and magazines are encouraged to highlight the stories of Filipino Comfort Women and the struggle for justice and ending wartime sexual slavery.

SECTION 7. *Appropriations.* – Funds necessary for the implementation of the aforesaid activities, programs, and projects shall be charged to the five percent (5%) Gender and Development budget allocated to all government agencies and local government units, as mandated by Section 36 of Republic Act No. 9710 or The Magna Carta of Women.

SECTION 8. *Implementing Rules and Regulations.* – Within ninety (90) days from the approval of this Act, the NHCP shall, in consultation with the DepEd and CHED, formulate the rules and regulations implementing the provisions of this Act.

SECTION 9. *Separability Clause.* – If, for any reason, any section or provision of this Act is held to be unconstitutional or invalid, the validity of other sections herein shall not be affected thereby.

SECTION 10. *Repealing Clause.* – All laws, executive orders, proclamations, and other issuances inconsistent with the provisions of this Act are hereby repealed or amended accordingly.

SECTION 11. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in two (2) national newspapers of general circulation.

Approved,