

Congress of the United States
Washington, DC 20515

July 21, 2026

The Honorable Jose Manuel G. Romualdez
Ambassador
Embassy of the Republic of the Philippines
1600 Massachusetts Ave. NW
Washington, DC 20036

Dear Ambassador Romualdez:

We write to call for an independent, impartial, and credible investigation into the Philippine Army's April 19 counter-insurgency operation in Toboso, Negros Occidental province, which reportedly killed 19 people, including two U.S. citizens and several other civilians. While the Philippines' Commission on Human Rights is currently investigating the incident, we are deeply concerned that the Commission's efforts have been hobbled by a lack of cooperation from security forces and other systemic barriers. We urge the Government of the Philippines to ensure the Commission's investigation is thorough and impartial, includes the full cooperation of the Army in providing access to evidence, and allows participation of independent civil society actors, to secure an objective report that accurately reflects the facts surrounding the incident.

On April 19, 2026, the 79th Infantry Battalion, 3rd Infantry Division¹ launched a counter-insurgency operation against the Communist Party of the Philippines – New Peoples' Army (CPP-NPA) in Barangay Salamanca, Toboso, and 19 people were killed in the armed encounter, all of whom the Army has claimed were New People's Army combatants. However, reporting from individuals and organizations, including those involved in a civil society fact-finding mission into the incident, indicate that up to nine² of those

¹ Sofia Abrogar, "Rights groups back probe into Himamaylan massacre; slams AFP claims vs NPA," *INQUIRER.net*, June 22, 2023, <https://newsinfo.inquirer.net/1791822/rights-groups-back-probe-into-himamaylan-massacre-slams-afp-claims-vs-npa>.; Nick Aspinwall, "Philippine farmer killings revive dark memories of martial law," *Al Jazeera*, July 14, 2023, <https://www.aljazeera.com/news/2023/7/14/philippine-farmer-killings-revive-dark-memories-of-martial-law>.; Reymund Titong, "Slain Negros couple's daughter 'won't cooperate' with authorities – rights advocate," *Rappler*, October 13, 2023, <https://www.rappler.com/philippines/visayas/slain-negros-occidental-fausto-couple-daughter-emily-not-cooperate-authorities/>.; John Farochilin, "John Farochilin: Personal Profile," *Human Rights Defenders Memorial*, <https://hrdmemorial.org/hrdrecord/john-farochilin/>.; "2020 Karapatan Year-End Report on the Human Rights Situation in the Philippines," *Karapatan Alliance Philippines Inc.*, 54, 95, 2021, <https://www.karapatan.org/report/2020-karapatan-year-end-report/>.; Nestor P. Burgos Jr., "Army in Iloilo told: You killed a peasant leader, not rebel," *INQUIRER.net*, April 20, 2020, <https://newsinfo.inquirer.net/1261738/army-in-iloilo-told-you-killed-a-peasant-leader-not-rebel>. (The 3rd Infantry Division has a record of involvement in other large-scale killings of civilians with no accountability for alleged perpetrators, according to human rights groups, including the 2023 killing of four members of the Fausto family—including two children, ages 11 and 14, by soldiers from the 3rd Infantry Division's 94th Infantry Battalion in Himamaylan, Negros Occidental, and the 2020 killing of farmer and land rights advocate John Farochilin by soldiers from the 3rd ID's 61st Infantry Battalion in Miag-ao, Iloilo, after which the same unit arrested 11 people from local farming communities, including a number of minors, and tortured some of those detained.)

² See e.g., <https://rightsreport.org/2026/05/11/toboso-trap/>; Patrick Peralta, "A mass killing in the Philippines sparks rare scrutiny over counterinsurgency violence – but no wider reckoning," *The Conversation*, May 28, 2026, <https://aseanmp.org/publications/post/toboso-19-asean-parliamentarians-condemn-the-killings-in-negros-occidental>;

killed were civilians, including U.S. citizens Kai Sorem and Lyle Prijoles. We are also concerned that this incident may be representative of a broader pattern of Philippine Armed Forces failing to distinguish between combatants and civilians during counterinsurgency campaigns, which has previously resulted in deaths of activists and members of civil society during combat operations.³

Ms. Sorem, a 26-year-old resident of Seattle committed to advancing the interests of the most marginalized Filipinos, had traveled to Negros in the Philippines earlier this year to learn about and document the conditions of rural Filipino communities, according to friends and colleagues.⁴ Mr. Prijoles, a resident of Hayward, California, was a human rights activist and advocate for underserved and rural Filipino communities, including farmworkers.⁵ According to eyewitness accounts from local residents, Ms. Sorem, Mr. Prijoles, and their four companions were civilians and never carried firearms.⁶ Among these civilians were journalist RJ Nichole Ledesma, a coordinator for Altermidya Network, a group of local news outlets covering issues affecting conflict-affected rural communities,⁷ as well as two land rights activists and a university student.⁸ In addition to the six individuals identified as civilians by witnesses interviewed by the civil society fact-finding mission,⁹ other credible reports indicate that three additional victims, including two minors, were also civilians and residents of the locality.¹⁰

Stefano Vecchia, “Toboso killings, the result of Philippine military’s indiscriminate attack against the NPA,” *PIME AsianNews*, April 29, 2026, <https://www.asianews.it/news-en/Toboso-killings,-the-result-of-Philippine-military%E2%80%99s-indiscriminate-attack-against-the-NPA-65340.html>.

³ See, e.g., <https://rightsreport.org/2026/04/24/ihl-negros/>; “Amnesty Ph urges independent probe into civilian killings in recent Negros armed encounter,” *Amnesty International*, April 29, 2026, <https://www.amnesty.org.ph/2026/04/amnesty-urges-immediate-probe-into-civilian-killings-in-recent-negros-armed-encounter/>; see also “Philippines: Killings Highlight Need for International Action,” *Human Rights Watch*, March 10, 2021, <https://www.hrw.org/news/2021/03/10/philippines-killings-highlight-need-international-action> (joint military and police operations).

⁴ Adrian Alarilla, “Friends and colleagues remember Kai Sorem’s passion and drive for social justice,” *International Examiner*, June 8, 2026, <https://iexaminer.org/friends-and-colleagues-remember-kai-sorems-passion-and-drive-for-social-justice/>.

⁵ Amber Lee, “Hayward human rights activist among 19 killed in the Philippines,” *KTVU FOX 2*, May 5, 2026, <https://www.ktvu.com/news/hayward-human-rights-activist-among-19-shot-killed-philippines>; Omari Fleming, “‘Most gentle and kind person’: Mira Mesa man among 19 killed by Philippine military,” *NBC 7*, May 12, 2026, <https://www.nbcsandiego.com/news/local/mira-mesa-man-among-19-killed-by-philippine-military/4023012/>.

⁶ John Sitchon, “What fact-finders have discovered so far on the Toboso encounter,” *Rappler*, May 18, 2026, <https://www.rappler.com/philippines/visayas/fact-finding-mission-toboso-negros-occidental/>; <https://rightsreport.org/2026/05/21/toboso-fishpond/>; “Fact-Finding Mission Confirms Civilian Victims, Ongoing IHL Violations in Toboso,” *Karapatan*, May 16, 2026, https://www.karapatan.org/media_release/fact-finding-mission-confirms-civilian-victims-ongoing-ihl-violations-in-toboso/.

⁷ “Philippine journalist RJ Nichole Ledesma killed in army operation,” *Committee to Protect Journalists*, April 30, 2026, <https://cpj.org/2026/04/philippine-journalist-rj-nichole-ledesma-killed-in-army-operation/>; <https://rightsreport.org/2026/04/23/negros-19/>.

⁸ Carla P. Gomez, “6 civilians among 19 killed in Negros clash, says fact-finding team,” *INQUIRER.Net*, May 16, 2026, <https://newsinfo.inquirer.net/2229687/6-civilians-among-19-killed-in-negros-clash-says-fact-finding-team>; “Statement on the Toboso Tragedy,” *University of the Philippines System*, April 27, 2026, <https://up.edu.ph/statement-on-the-toboso-tragedy/>; John Sitchon, “What fact-finders have discovered so far on the Toboso encounter.”

⁹ Karapatan, “Fact-Finding Mission Confirms Civilian Victims, Ongoing IHL Violations in Toboso.”

¹⁰ See e.g., <https://rightsreport.org/2026/05/11/toboso-trap/>; “TOBOSO 19: ASEAN Parliamentarians Condemn the Killings in Negros Occidental,” *ASEAN Parliamentarians for Human Rights*, April 29, 2026, <https://aseanmp.org/publications/post/toboso-19-asean-parliamentarians-condemn-the-killings-in-negros-occidental>; Stefano Vecchia, “Toboso killings, the result of Philippine military’s indiscriminate attack against the NPA.”

These accounts underscore the need for an independent, impartial investigation into the deaths to assess whether crimes or gross violations of human rights or humanitarian law occurred. However, we are gravely concerned that the Commission on Human Rights, is hampered by systemic issues that preclude it from conducting an independent and effective investigation. We have heard reports that security forces routinely deny the Commission access to official records and other evidence in the custody of the military and police that are essential to an independent and thorough investigation.¹¹ Without access to such evidence, the Commission has previously had to cite uncorroborated Army accounts of incidents under investigation. In addition, the Commission's investigators are typically accompanied by Philippine security forces—often the same units involved in the killings—when the Commission seeks to interview witnesses and visit the communities where the incidents took place. This compounds the existing climate of fear and distrust of government investigators among communities in areas like Toboso that are heavily militarized.

Concerningly, control over the crime scene of the Toboso killings was maintained by the Philippine Army unit involved in the killings, with the Philippine National Police processing the evidence, and access to the crime scene was denied to independent investigators during the critical period following the incident.¹² An independent forensic pathologist, Raquel Fortun, who conducted independent autopsies on five of the 19 victims at the request of relatives, found discrepancies with the bodies that contradict the Army's official account.¹³ In the case of journalist RJ Nichole Ledesma, who was among those killed, his colleagues have raised concerns that evidence at the scene may have been staged.¹⁴

The Toboso killings occurred in the broader context of the state's use of counterinsurgency and counterterrorism policies to target activists and members of progressive civil society organizations (CSOs). Philippine counter-terrorism laws, including the Anti-Terrorism Act and Terrorism Financing Act, are used to prosecute and imprison individuals from CSOs engaged in human rights advocacy, environmental protection, and humanitarian and development work.¹⁵ Such “red-tagging” or “terror-tagging”—the labeling of activists as “rebels” or “terrorists”¹⁶—is used to justify not only baseless criminal charges, but also extrajudicial killings, arbitrary detention, assets freezes, and violations of due process, free speech, and peaceful assembly.¹⁷

11 See, e.g., Reymund Titong, “AFP, PNP deny CHR-Negros access to public documents on encounter-related cases,” *Rappler*, March 9, 2024, <https://www.rappler.com/philippines/visayas/military-police-deny-access-records-commission-human-rights-negros/>; <https://rightsreport.org/2026/05/12/toboso-probe/>.

12 See, e.g., Michael Beltran, “Farmers Endure Militarization in the Philippines’ ‘Massacre Capital,’” *The Diplomat*, May 19, 2026, <https://thediplomat.com/2026/05/farmers-endure-militarization-in-the-philippines-massacre-capital/>; <https://rightsreport.org/2026/05/21/toboso-fishpond/>.

13 <https://rightsreport.org/2026/05/11/toboso-fortun/>; Andrea Gregorio, “Fortun on ‘Negros 19’: ‘Hear the version of the dead,’” *Inquirer.Net*, May 8, 2026, <https://newsinfo.inquirer.net/2225105/fortun-on-negros-19-hear-the-version-of-the-dead>.

14 “Philippines: RSF calls for full transparency over the killing of journalist RJ Nichole Ledesma,” *Reporters Without Borders*, May 5, 2026, <https://rsf.org/en/philippines-rsf-calls-full-transparency-over-killing-journalist-rj-nichole-ledesma>.

15 “Philippines: Human rights defenders under attack amid rampant impunity, new report finds,” *International Federation for Human Rights*, June 18, 2026, <https://www.fidh.org/en/region/asia/philippines/philippines-human-rights-defenders-under-attack-amid-rampant-impunity>; “Philippines Events of 2025,” *Human Rights Watch*, <https://www.hrw.org/world-report/2026/country-chapters/philippines>.

16 See, e.g., “2024 Country Reports on Human Rights Practices: Philippines,” *U.S. Department of State*, <https://www.state.gov/reports/2024-country-reports-on-human-rights-practices/philippines/>.

We are deeply concerned that with such fundamental barriers to an independent investigation, the result of the Commission's investigation may absolve security forces of wrongdoing, notwithstanding the facts surrounding the incidents. We urge the Government of the Philippines to ensure an independent, impartial, and credible investigation into these killings.

Sincerely,



Pramila Jayapal
Member of Congress



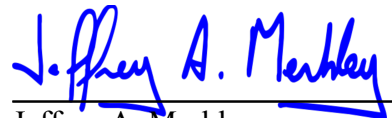
Maxine Dexter, M.D.
Member of Congress



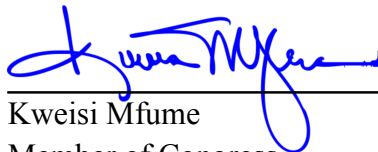
Jesús G. "Chuy" García
Member of Congress



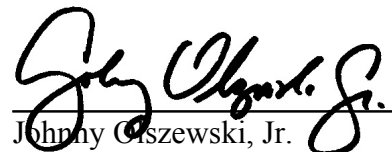
James P. McGovern
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Jeffrey A. Merkley
United States Senator



Kweisi Mfume
Member of Congress



Johnny Ciszewski, Jr.
Member of Congress



Delia C. Ramirez
Member of Congress



Adam B. Schiff
United States Senator

¹⁷ See, e.g., "Philippines: UN expert calls for more sustained reforms to prevent threats and killings of journalists and activists," *United Nations- Human Rights Office of the High Commissioner*, February 2, 2024, <https://www.ohchr.org/en/press-releases/2024/02/philippines-un-expert-calls-more-sustained-reforms-prevent-threats-and>.



Rashida Tlaib
Member of Congress



Chris Van Hollen
United States Senator