

MEXICO

In a historic ruling for the Mazatec community of Eloxochitlán, Oaxaca, the Federal Court confirms Miguel Peralta's innocence of all accusations and determines the non-existence of a key crime

- The sentence recognizes, for the first time in more than a decade of judicial harassment, the inexistence of the attempted homicide against the alleged victim, Elisa Zepeda Lagunas.
- In considering the context of the facts, the Court qualified the accusatory testimonies as lacking credibility and sincerity.
- Miguel should be definitively acquitted by the Third Criminal Court of Oaxaca of the crimes of homicide and attempted homicide.
- In addition to Miguel, the Mazatec defenders who still have arrest warrants and criminal proceedings for this non-existent crime must be acquitted.

Different geographies, March 2, 2026. On February 25 of this year, the sentence issued by the First Collegiate Tribunal in Criminal Matters of Oaxaca in the Amparo Directo 631/2022 was published, which absolved Miguel Peralta Betanzos of all the accusations against him after a process of more than 11 years. This recognition is consistent with international standards of due process, presumption of innocence, and protection of indigenous defenders.

The amparo granted obliges the Third Criminal Court of Oaxaca to confirm Miguel's innocence and absolute freedom for the crimes of homicide and attempted homicide. In addition, for the first time in the process, there is a judicial determination that denies the existence of the latter crime, supposedly committed against Elisa Zepeda, and considers the context in which the events occurred to qualify the accusatory testimonies as unreliable, insincere, and biased by sympathy to the cacique group, which evidences their intention to incriminate him.

For Miguel, this represents *a small window where freedom can be seen in the distance; a space through which we can escape this confinement, because although we are free, we are still limited in many ways. We have won a small battle in this great affront against the State and its representatives. Our community has experienced in the flesh institutional racism, systematic delay, persecution, criminalization, fabrication of crimes, torture, forced displacement, and imprisonment. Once again, it has been confirmed that the lies that kept us behind bars are fading; they no longer have a way to sustain this fallacy they created to subjugate our people and take political and economic control. We will not stop resisting until all the persecuted people of Eloxochitlán are absolutely free.*

For the community, which has been subjected to judicial harassment and the devastation of the Xangá Ndá Ge River by the cacique group, this sentence confirms, on the one hand, the persecution and fabrication of crimes with the aim of inhibiting community organization and the defense of the territory. On the other hand, it opens the door to justice for the rest of the people unjustly prosecuted, as it becomes solid external criteria to demand the release of 12 of the exiled defenders and 5 more, still subject to criminal proceedings for



the same crimes. In addition, the sentence allows for combatting the stigmatization and repression that still prevails over the entire criminalized community, which, in 2025, was once again the object of more than 200 arrest warrants, which meant an intensification of persecution by the three branches of government of the state of Oaxaca.

This pattern of mass prosecution against indigenous defenders reflects criminalization practices that have been documented in different contexts against Indigenous Peoples exercising their autonomy and defending their territory.

It is important to remember that Miguel Peralta had already obtained his freedom in October 2019, after a grueling defense, because there were no direct accusations against him. However, the alleged victims appealed, and that sentence was revoked in March 2022 by the Third Criminal Court of Oaxaca; this has forced him to remain in exile for four years. Since then, he sought to obtain from the First Collegiate Court confirmation of his innocence and absolute freedom, going all the way to the Supreme Court of Justice of the Nation, which, in November 2024, returned the case to that court to resolve it with a cross-cultural perspective.

During more than a year of proceedings before the Collegiate Court, pleadings, evidence and *amicus curiae* briefs were submitted, forcing the magistrates to enter into a study of the merits of the case. As a result of two contextual anthropological expert reports, the court recognized the existence of a socio-political conflict that resulted in "antagonistic groups". The sentence makes clear that the testimonies of those who maintain alliances with the cacicazgo, according to the expert reports themselves, make it possible to glimpse "the pretension of involving [Miguel] as part of the opposing group". The sentence is forceful in pointing out inconsistencies and serious contradictions in the evidence that has been used against dozens of persecuted and exiled people from the Mazatec community.

This case has shown how the criminal justice system can be used as a mechanism of punishment against those who defend their territory and exercise their own community organization. The criminalization of Miguel Peralta and the Eloxochitlán Assembly is not an isolated event, but part of an attempt to weaken the exercise of autonomy and self-determination, maintaining the devastation of the river.

We hope that, without further delay, the Third Criminal Court will comply with this resolution, issue a definitive acquittal, and allow that, after more than a decade of proceedings, the persecution will end and justice will be served.

We thank you for your diffusion,

Miguel Ángel Peralta Betanzos

Mazatecas for Freedom

Support Group in Solidarity with Miguel Peralta

The Indigenous Peoples Rights International (IPRI)



Centro de Derechos Humanos Fray Bartolomé de Las Casas





Allied individuals and groups:

5 de junio memoria
Alejandra Elizondo
Algaraza, towards social and restorative justice
Andrew Córdova and Abigail Martínez
Editorial Antagonism
Axolote Radio
Tlachinollan Human Rights Center of La Montaña,
Tlachinollan
Fray Bartolomé de Las Casas Center for Human
Rights (Frayba)
Paso del Norte Human Rights Center (Centro de
Derechos Humanos Paso del Norte A.C.)
Toaltepeyolo Human Rights Center (Centro de
Derechos Humanos Toaltepeyolo)
Center for Justice for Peace and Development,
A.C. (CEPAD)
Zeferino Ladrillero Human Rights Center (Centro
de Derechos Humanos Zeferino Ladrillero)
Centro de Derechos Humanos Antonio Esteban
A.C. (Antonio Esteban Human Rights Center, A.C.)
Legal Clinic for Criminal Defense of the
Universidad Iberoamericana (Universidad
Iberoamericana)
Legal Clinic for Indigenous Peoples of UNAM
Documenta. Analysis and Action for Social Justice
CNTE State of Mexico
Cobaya de Fuego
Pervivencias Collective
Rats' Nest Collective
Truth, Justice and Freedom for Juan Carlos
Michaca Collective
Yaocihuatl Pedregales Collective
Ocho Trueno Collective
Committee for the Integral Defense of Human
Rights Gobixha Códigodh
Comité de solidarité avec les peuples du Chiapas
en lutte (Committee of Solidarity with the Peoples
of Chiapas in Struggle) CSPCL
Comité de solidarité internationale avec les
Autochtones des Américas / Committee of
International Solidarity with the Indigenous Peoples
of the Americas (CSIA-Nitassinan)
Comite de Defensa de los Derechos de la Mujer /
Committee for the Defense of Women's Rights.
CODEM (Oaxaca)
Coordinadora Internacional de Solidaridad y por la
Libertad de presos políticos y Revolucionarios del
Mundo (International Coordinating Committee for
Solidarity and the Freedom of Political Prisoners
and Revolutionaries of the World). Oaxaca Base
and Chiapas Base.

Dario Rojas
Dario Velasco
Documenta AC
Dulce Deyanira López Muñoz
Elizabeth Ángel Palmillas, Mtra. In Defense and
Promotion of Human Rights
Florencia Mercado Vivanco
Latin American Forum for the Anthropology of Law
a. c.
Fundar, Center for Analysis and Research, A.C.
Grupo de Litigantes para la Protección y Defensa
de los Derechos Humanos (Group of Litigants for
the Protection and Defense of Human Rights
(Grupo de Litigantes PRODEDH)
Working Group on Justice and Indigenous
Peoples, FLAD
Enforce My Freedom
Hugo Ozuna
Ke Huelga Radio
Popular Laboratory of Free Media
Laura Almanza Cerriteño
The Razo Brothers
Lucia Alvarado González
Human Rights Node, Puebla.
News from Below ML
Observatorio Memoria y Libertad
People's Human Rights Observatory (Oaxaca)
World Organization Against Torture
Organización Popular Francisco Villa de Izquierda
Independiente
Oscar Ventura Rojas
Radio Zapote
Ramsés Villarreal Gómez, Mtro. in Defense and
Promotion of Human Rights
Solidarity Network for Human Rights
Red Nacional de Organismos Civiles de Derechos
Humanos "Todos los Derechos para Todas, Todos
y Todes" (Red TDT) (National Network of Civil
Human Rights Organizations "All Rights for All,
Everyone and Todes" (Red TDT)
National Network of Independent Experts Against
Torture (Red Nacional de Peritos/as y Expertos/as
Independientes Contra la Tortura)
Rosa Mora Pardomo
Services for an Alternative Education, EDUCA,
A.C.
Siuat Yoltechikatli por los Derechos Humanos A.C.
(Siuat Yoltechikatli for Human Rights A.C.)
Dream Dignity
Susana Ramirez
Weaving Networks against Torture



Tlahuele

Wendy Andrea Galarza Herrera

For an end to the criminalization and persecution of the community of Eloxochitlán de Flores Magón, Oaxaca!