

VOICES UNHEARD: INDIGENOUS WOMEN'S BARRIERS TO ACCESS AND DUE PROVISION OF JUSTICE IN SINALOA, MEXICO

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Introduction

Access to justice for indigenous women in Sinaloa is a right recognized by international, national, and local legal frameworks. Nonetheless, this segment of the population continues to face many obstacles in accessing and utilizing justice resources.

This research project aims to understand the experiences of indigenous women that have sought help in access and delivery of justice and to identify the barriers that have prevented effective and equitable administration of justice services.

Context and Justification

In Mexico there are 6,146,479 indigenous women, 14,704 of which reside in the State of Sinaloa (Intercensal Survey 2015).

Nonetheless, the Attorney General's Office of the State of Sinaloa reports only 7 complaints were filed concerning any form of violence against Indigenous women in the State of Sinaloa in 2022.

2018	2019	2020	2021	2022
9	10	9	9	7

In many instances, insufficient data on the ethnicity of complainants is collected. However, national and international institutions explicitly call for states to disaggregate data by ethnicity and age to combat discrimination and improve accessibility.

Even so, barriers to disclosure of gender based violence have been recorded across the globe, including self-blame, fear of the consequences and lack of knowledge of services.

A close analysis of institutional and normative structures in connection with actual lived experiences in Sinaloa is necessary to close the gap between policy and practice in this region.

Theoretical Framework



Methodology

This study employs a qualitative research approach, grounded in an intersectional feminist framework, to examine the lived experiences of indigenous women in Sinaloa's legal system.

Semi-structured interviews will be conducted with participants who have navigated various stages of the judicial process, from the initial stages of seeking support for access to justice to the final resolution of a filed complaint, when applicable.

The data collected will be systematically analyzed using thematic coding with the software Atlas.TI. This method will facilitate the identification of patterns of perception and reported experiences of discrimination, shedding light on individual and systemic barriers and permitting an in-depth understanding of how intersecting factors, such as gender and ethnicity, impact access to justice for indigenous women.

Preliminary Results

"So, we called where we could file a complaint, and they said it was a minor issue, that they can't come because of the situation that's going on. They can come when there are guns... It's like if we can take care of ourselves, we can take care of ourselves. And if not, well, it's like they kill us, you know? It's like for us, from what I can tell, there's no justice."*

**Increased armed violence related to cartels in Sinaloa*

"Just imagine, he lives here, and one lives here. It's easy for him; he feels like he owns everything, you know?"

"But his mom doesn't believe what he's doing. She's always protecting him, always defending him. She says he's not like that, that we're the ones to blame"

References

- Laguna Juárez, Héctor Agustín, "El acceso a la Justicia en México: Entre la Legalidad y la Justicia por Propia Mano", Revista Mexicana de Ciencias Penales, Ciudad de México, núm. 17, 17 de agosto de 2022
- Fuentes, Angelica, "El Acceso a la Justicia para las Mujeres Indígenas", Informe sombra para el Comité de la ONU para la Eliminación de la Discriminación Racial, Organizaciones Equis Justicia para las Mujeres (EQUIS), Red Nacional de Abogadas Indígenas
- Gassman Zylberman, Nadine, Las Mujeres Indígenas en el Centro de la Transformación, Instituto Nacional de las Mujeres, 2021
- Miranda Fricker, 'Epistemic Injustice - Power and the Ethics of Knowing': Oxford University Press, 2007
- Mujer con Jicara en la cabeza (Woman with Jicara on her head). Juchitán, Oaxaca, 1929. Gelatin silver print. Fundación Televisa Collection and Archive, Mexico City

Discussion

- Perpetrator's direct violence and threat of lethal violence
- Fear of not being believed or being blamed
- Community's judgment, normalization or rationalization of violence
- Armed drug-related confrontations in the area
- Authorities' minimization of victims' needs (both indigenous and state authorities)
- Lack of access to information in native language

Conclusions

The agency of indigenous women in Mexico in seeking justice is systematically limited by a variety of symbolic, structural and concrete barriers at the individual, community, and institutional levels.

Although educational interventions would help, addressing the intersectional barriers faced by Indigenous women in Sinaloa requires a multifaceted approach that combines legal reform, community engagement, and increased resources.

- Foster Community Engagement: Engage Indigenous communities in the design and implementation of policies affecting them
- Address Systemic Discrimination: Implement training programs for justice system professionals to recognize and combat biases against Indigenous women.
- Increase Data Collection: Support initiatives that disaggregate data by ethnicity and gender to better understand the specific challenges faced by Indigenous women.
- Create Safe Reporting Mechanisms: Establish confidential and culturally appropriate channels for Indigenous women to report violence and seek assistance without fear of stigma or retaliation.

Technological Reflections

ATLAS.ti was employed for the thematic analysis of semi-structured interviews, facilitating systematic coding of qualitative data and identification of patterns related to the experiences of indigenous women in accessing the justice system.

Advantages:

- Efficient management and organization of data, ensuring accurate capture and categorization of key findings.
- Visualization tools, including networks and word clouds, presented complex interrelationships among themes.
- Enhanced rigor and reproducibility of analysis through a transparent audit trail of the coding process.

Limitations:

- Steep learning curve requires significant time investment to attain proficiency
- Input of codes may introduce researcher and algorithmic bias
- Visualizations, while useful, can sometimes oversimplify complex relationships between themes."