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Scientific articles

**Abuso Sexual Infantil: Un Enfoque Integral para su Prevención a
través de la Educación y el Marco Legal**

*Child Sexual Abuse: A Comprehensive Approach to its Prevention through
Education and the Legal Framework*

*Abuso sexual infantil: uma abordagem abrangente para sua prevenção por
meio da educação e do quadro legal*

Luis Alonso Hagelsieb Dórame*

Universidad de Sonora, México

Alonso.hagelsieb@unison.mx

<https://orcid.org/0000-0001-9382-9878>

Federico Hans Hagelsieb

Universidad de Sonora, México

Federico.hagelsieb@unison.mx

<https://orcid.org/0000-0002-8133-0903>

María Fernanda Leal Martínez

Universidad de Sonora, México

a220201852@unison.mx

<https://orcid.org/0009-0004-5471-847X>

* Autor de correspondencia

Resumen

México ocupa el primer lugar mundial en abuso sexual infantil (ASI), con más de 4.5 millones de víctimas y una ínfima tasa de denuncia del 1%. Este estudio se realizó para analizar la problemática del ASI y proponer un enfoque integral para su prevención, explorando el papel de la educación sexual, las instituciones educativas y el marco jurídico mexicano. Se empleó una metodología cualitativa de análisis documental exhaustivo, revisando leyes nacionales (Código Penal, LGDNNA, LGE), tratados internacionales (CDN), informes de organismos como la OMS y UNICEF, y literatura académica sobre pedagogía de la sexualidad y prevención de la violencia.

Los resultados revelan una desconexión estructural entre un marco legal robusto y una praxis educativa limitada, destacando que el 50% de los casos ocurre en el entorno familiar. Se identificó que los materiales educativos oficiales mantienen una visión biologicista y reproductiva, omitiendo la autonomía corporal y la diversidad sexual, mientras que los docentes enfrentan barreras por falta de capacitación y tabúes personales. En conclusión, la prevención efectiva exige un enfoque integral y una responsabilidad compartida entre el Estado, la familia y la sociedad, combinando la aplicación efectiva de leyes con una educación sexual integral que empodere a los menores y transforme los patrones socioculturales que invisibilizan esta violencia.

Palabras clave: Abuso sexual infantil, Educación sexual integral, Marco jurídico, Derechos de la niñez.

Abstract

Mexico ranks first globally in child sexual abuse (CSA), with over 4.5 million victims and a reporting rate of only 1%. This study was conducted to analyze the complexities of CSA and propose a comprehensive prevention approach, exploring the roles of sexuality education, educational institutions, and the Mexican legal framework. The research employed a qualitative documentary analysis methodology, reviewing national laws (Federal Penal Code, LGDNNA, LGE), international treaties (CRC), reports from organizations like the WHO and UNICEF, and academic literature on sexuality pedagogy and violence prevention.

The results reveal a structural disconnect between a robust legal framework and limited educational practice, highlighting that 50% of cases occur within the family environment. Findings show that official educational materials maintain a biological and reproductive

focus, omitting bodily autonomy and sexual diversity, while teachers face barriers such as a lack of training and personal taboos. In conclusion, effective prevention requires a comprehensive approach and shared responsibility between the State, family, and society, combining the effective application of laws with comprehensive sexuality education that empowers minors and transforms the sociocultural patterns that render this violence invisible.

Keywords: Child sexual abuse, Comprehensive sexuality education, Legal framework, Children's rights.

Resumo

O México ocupa o primeiro lugar mundial em abuso sexual infantil (ASI), com mais de 4,5 milhões de vítimas e uma ínfima taxa de denúncia de 1%. Este estudo foi realizado para analisar a problemática do ASI e propor uma abordagem integral para sua prevenção, explorando o papel da educação sexual, das instituições educativas e do marco jurídico mexicano. Empregou-se uma metodologia qualitativa de análise documental exaustiva, revisando leis nacionais (Código Penal, LGDNNA, LGE), tratados internacionais (Convenção sobre os Direitos da Criança), relatórios de organismos como a OMS e a UNICEF, e literatura acadêmica sobre pedagogia da sexualidade e prevenção da violência.

Os resultados revelam uma desconexão estrutural entre um marco legal robusto e uma práxis educativa limitada, destacando que 50% dos casos ocorrem no ambiente familiar. Identificou-se que os materiais educativos oficiais mantêm uma visão biologicista e reprodutiva, omitindo a autonomia corporal e a diversidade sexual, enquanto os docentes enfrentam barreiras por falta de capacitação e tabus pessoais. Em conclusão, a prevenção eficaz exige uma abordagem integral e uma responsabilidade compartilhada entre o Estado, a família e a sociedade, combinando a aplicação efetiva das leis com uma educação sexual integral que empodere os menores e transforme os padrões socioculturais que invisibilizam esta violência.

Palavras-chave: Abuso sexual infantil, Educação sexual abrangente, Quadro legal, Direitos da criança.

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Introduction

Child sexual abuse (CSA) is a form of violence that violates the sexual freedom and integrity of children and adolescents and generates long-term physical, psychological, and emotional consequences. In the health sector, the World Health Organization (WHO) has documented that sexual violence during childhood can produce persistent lifelong consequences. In the legal sphere, the Convention on the Rights of the Child (CRC) establishes the obligation of States to protect children and adolescents from all forms of violence, abuse, and exploitation, including sexual abuse, as well as to promote their physical and psychological recovery and social reintegration.

This problem has historically remained invisible, hindering the effective guarantee of human rights and the comprehensive well-being of children and adolescents. The silence of victims is a frequent phenomenon, influenced by factors such as age, relationship with the perpetrator, and sociocultural conceptions of childhood and sexuality (National System for the Integral Development of the Family [DIF], 2017). This invisibility has also been reinforced by social and cultural resistance to the implementation of sex education and the persistence of myths about perpetrators and victims, factors that have hindered early detection and addressing of the problem. Previous generations grew up surrounded by silence, ignorance, taboos, and prejudices surrounding sexuality.

Unlike previous studies that analyze child sexual abuse (CSA) predominantly from a punitive perspective, this article offers an original approach by examining the potential structural disconnect between a robust national legal framework and its educational implementation. Specifically, it analyzes how certain approaches present in official curricular content and educational materials have historically privileged a biological and reproductive view of sexuality. This study argues that the limited inclusion of topics such as bodily autonomy, diversity, and the recognition of the body as a subject of rights may contribute to the continued silencing and invisibility of CSA.

The value of this research lies in systematizing the relationship between these pedagogical omissions in official educational materials and guidelines from the Ministry of Public Education (SEP) and the obstacles to the prevention and early detection of sexual abuse of children. It also underscores the magnitude of the problem in Mexico, where various estimates report millions of victims and significant levels of underreporting. In this sense, the study goes beyond simply describing the crime to propose a critical interrelationship

between educational limitations regarding sexuality and the perpetuation of conditions that favor the continuation of violence.

Concept of Sexual Offense and Child Sexual Abuse:

There is no single definition of “sexual offense.” However, from the perspective of general criminal theory, the concept of crime has been defined as a typically unlawful and culpable human act (Villalobos, 1975), as a violation of criminal law (De Pina Vara, 1991), and as typical, unlawful, and culpable behavior (González Quintanilla, 1993). These formulations agree that these are behaviors sanctioned by the legal system, carried out intentionally, and attributable to the person who commits them. Taken together, these elements allow us to understand crime as legally reprehensible conduct that implies criminal liability.

On the other hand, “sexuality” is a central aspect of being human that encompasses sex, gender identities and roles, eroticism, pleasure, intimacy, reproduction and sexual orientation, and is influenced by multiple biological, psychological, social, economic, political, cultural, ethical, legal, historical, religious and spiritual factors (World Health Organization, 2018).

The articulation of both concepts reveals that sexual offenses constitute typical, unlawful, and punishable conduct that violates the sexual freedom and integrity of individuals. From this perspective, the protected legal right is sexual self-determination, understood as the right to freely decide about one's own bodily and sexual sphere. Generally speaking, these acts encompass sexual acts performed without consent or through coercion, abuse of power, or deception; in the case of children and adolescents, the lack of full legal capacity to consent is especially relevant. Such acts can affect their overall development and generate long-term physical and psychological consequences.

In cases of child sexual abuse (CSA), the violation of sexual freedom and integrity is particularly serious due to the dependency and power imbalance experienced by children and adolescents. Although the international legal framework—such as the Convention on the Rights of the Child (CRC)—establishes the obligation of States to protect them against all forms of violence and promote their full recovery, the timely detection and intervention of CSA continue to face significant obstacles.

Among these challenges, the silence of victims stands out, frequently influenced by age, the relationship with the perpetrator, and sociocultural conceptions about childhood and sexuality (National System for the Integral Development of the Family [DIF], 2017).

Likewise, social resistance to sex education and the persistence of myths about perpetrators and victims have contributed to concealing the problem and hindering its early identification. In this sense, several generations have grown up in contexts marked by silence, taboos, and prejudices surrounding sexuality (Rodríguez, 2002).

Articles of the Federal Penal Code and Basic Consensus on Child Sexual Abuse

The Federal Penal Code (1931), in its Fifteenth Title, “Crimes against Freedom and Normal Psychosexual Development”, defines and punishes harassment, abuse, rape and sexual assault.

Sexual abuse in general is committed when a person is subjected to sexual acts without their consent, or is forced to perform them on themselves or another person, without the intent of achieving sexual intercourse (Federal Penal Code, 1931, art. 260). Sexual acts are understood as obscene touching or fondling of the body, or those that constitute explicitly sexual acts or force the victim to perform them, including forcing the victim to observe a sexual act or to expose their body without their consent (Federal Penal Code, 1931, art. 260). Specifically, child sexual abuse is committed when the crime of sexual abuse is committed against a person under eighteen years of age or against a person who lacks the capacity to understand the meaning of the act, even with their consent, or who for any reason is unable to resist it, or is forced to perform it on themselves or another person (Federal Penal Code, 1931, art. 261).

Regarding the consensus on Child Sexual Abuse (CSA):

According to the National Center on Child Abuse and Neglect (1988), child sexual abuse (CSA) refers to any contact or interaction where an adult uses a child for sexual gratification, even if the abuser is significantly older and can control the victim. A basic consensus establishes that child sexual abuse requires a relationship of inequality (of age, maturity, or power) and the use of the child as a sexual object; explicit physical contact is not necessary (Echeburúa & Guerricaechevarria, 2000).

Intrafamilial sexual abuse (ICSA) is a serious and complex form of violence that violates the sexual freedom of children and adolescents, with long-term physical, psychological, and emotional consequences. Specifically, intrafamilial sexual abuse or

“incest” occurs when sexual contact or a sexual act is perpetrated by a blood relative or parental figure (Fischer & McDonald, 1998). In this context, the Executive Commission for Victim Assistance (2015) reported that half of all sexual abuse cases occur within the home and that 60% are committed by family members or acquaintances, mostly men.

Globally, the prevalence of child sexual abuse is alarming. The World Health Organization (2013) reported that 27% of adult women and 14% of adult men interviewed stated they had been victims of child sexual abuse during childhood. A subsequent report by the same organization indicated that one in five women and one in thirteen men were victims of sexual abuse in childhood.

Child sexual abuse (CSA) in Mexico represents a problem of great magnitude and public concern. Various reports and estimates indicate that millions of children and adolescents have been victims of sexual violence, highlighting the severity of the phenomenon in the country. However, the true extent of the problem is difficult to establish due to high levels of underreporting. In this regard, civil society organizations specializing in child protection estimate that only one in every hundred cases is reported, reflecting significant barriers to accessing justice and making the problem visible. This underreporting is related to structural factors such as the age of the victims, the relationship of trust or dependence with the perpetrator, and sociocultural conceptions about childhood and sexuality (National System for the Integral Development of the Family [DIF], 2017).

These figures demonstrate not only the extent of child sexual abuse at the global and national levels, but also its persistent invisibility and the complexity of its prevention and care. The high proportion of cases occurring within families suggests that the domestic environment, which should guarantee protection and care, can become a space of risk for children and adolescents. Likewise, the very low reporting rate in Mexico, along with the frequent silence of victims, reflects limitations in protection, detection, and access to justice mechanisms. Various analyses have indicated that sociocultural resistance and restrictive approaches to sexuality education have contributed to maintaining the issue as a taboo, hindering the implementation of effective prevention strategies.

These statistics underscore the urgent need to strengthen comprehensive sexuality education and prevention programs. Various specialists recommend that sexuality education be implemented from the preschool level to foster responsibility and body awareness, as well as to teach children and adolescents that they have rights over their own bodies and can identify risky situations. It is essential that this education equips children and adolescents

with the knowledge, skills, values, and attitudes necessary to protect their health, well-being, and dignity, and to promote relationships based on respect and the recognition of their rights. Furthermore, several studies have indicated that schools are one of the primary spaces for socialization and information about sexuality in adolescence, reinforcing their strategic role in preventing child sexual abuse .

Therefore, educational institutions must transform into protective environments capable of offering support and appropriate guidance to victims, fostering a cultural shift that breaks the cycle of silence and taboo surrounding sexuality and abuse. Comprehensive sex education not only contributes to the prevention of sexual abuse, but also reduces rates of unintended pregnancies and sexually transmitted infections (STIs), promoting a later onset of sexual activity and more responsible use of contraceptives.

Method

This research was conducted using a qualitative approach, with an analytical and critical documentary design. The study focused on the systematic examination of the relationship between the current legal framework, the prevalence of sexual abuse of children (SAC), and the implementation of sex education in Mexico. This approach allowed for the interpretation and comparison of normative content with available empirical and academic evidence. Furthermore, it prioritized a comprehensive analysis of social phenomena over the measurement of variables, in accordance with the epistemological foundations of qualitative research . In this work, the critical component is understood as the problematization of the tensions between normative discourse, institutional practice, and the sociocultural conditions that influence the prevention of SAC.

Given the documentary nature of the study, empirical data collection instruments were not used. Instead, a documentary corpus was compiled as the unit of analysis, drawing from primary and secondary sources relevant to the study. This corpus included, on the one hand, current national regulations concerning children's rights, criminal protection, and education, and on the other hand, international instruments ratified by the Mexican State, as well as technical and statistical reports prepared by specialized international organizations. Additionally, specialized academic literature was incorporated, consisting of scientific articles, books, and theses focused on sexuality education, the prevention of sexual abuse of children, and the analysis of free textbooks in the Mexican education system.

The selection of documents was based on criteria designed to ensure the validity and relevance of the analysis. Only laws and codes currently in force within the national territory, international treaties to which Mexico is a State Party, institutional reports published primarily within the last two decades, and academic studies that explicitly addressed the gap between legal regulations and educational reality were considered. Opinion pieces lacking empirical or legal support, repealed legal provisions, and educational materials outside the official system of the Ministry of Public Education included in the study were excluded.

The analysis of the documentary corpus was carried out using a critical-normative and thematic analytical procedure, which allowed for a comparison of the ideal established in legislation and international instruments with the reality reported in institutional and academic sources. This process was geared towards identifying regularities, tensions, and gaps between the regulatory framework, the magnitude of the phenomenon of sexual abuse of children, and the educational content related to sex education.

To this end, the information was organized and examined based on previously defined analytical categories, relating to: the conceptualization and legal classification of CSA; the magnitude of the phenomenon according to institutional reports and specialized literature; the historical evolution of sex education in Mexico from 1974 to the present; the institutional co-responsibility of the State and the school as environments for the protection of children.

These categories guided the analysis process and the organization of the results in a transversal manner, favoring a coherent, systematic and methodologically consistent presentation with the objectives of the study.

Sexual Education as a Prevention Tool

Currently, the Mexican education system has not yet established a comprehensive sex education program that meets the demands of ministerial declarations and international standards. Information on sexuality in free textbooks, distributed by the Ministry of Public Education (SEP) from 1974 to the most recent editions in 2010, has remained rooted in a biomedical and anatomical perspective. This means that the content focuses on the physical and biological changes of puberty, the function of reproductive organs for procreation, and hygiene.

Textbooks rarely address pleasure as part of sexuality, and when they do, they link it to emotional bonds or “love,” disapproving of sex for pleasure or masturbation. Furthermore, while they mention non-discrimination, they do not explicitly name or acknowledge

homosexuality, bisexuality, transgenderism, or other sexual orientations, perpetuating a heteronormative view. Abstinence is promoted as the primary method, along with the idea that responsibility should be reserved for adulthood, even though adolescents are initiating their sexual lives at early ages. Information on contraceptive methods is scarce, and abortion is not mentioned as an option for women in the case of an unwanted pregnancy.

Educators lack training and specialization in sex education, often teaching the subject based on their own moral rules, taboos, and personal biases, which limits the objectivity and comprehensiveness of the instruction. Despite schools being the primary source of information about sexuality for young people, the content of textbooks is inconsistent and can generate misinformation, especially given the easy access to information on the internet and social media.

To counteract these shortcomings, the sources propose comprehensive sex education as key to prevention. Sex education must go beyond the biological to include psychological, social, emotional, cultural, ethical, and gender aspects, promoting values such as tolerance, respect, and responsibility. It should provide children and adolescents with the knowledge, skills, and values necessary for their health, well-being, and dignity, enabling them to develop respectful relationships and understand their rights. This includes teaching them that they are the owners of their own bodies. It is recommended that sex education begin as early as age five, or even in preschool, to foster ongoing responsibility.

Schools are fundamental for the prevention, detection, and intervention in cases of violence against children and adolescents, requiring educators to be trained to identify signs of abuse and act appropriately. Mexico has a legal framework (Political Constitution, General Law on the Rights of Children and Adolescents, General Law on Education) and the support of international organizations such as UNICEF, UNESCO, and the ILO, which guarantee the right to sexual education and protection against violence and abuse, emphasizing the shared responsibility of the State, the family, and society.

Comprehensive, high-quality sex education has proven effective in helping adolescents make responsible and informed decisions about their sexual lives, delay the onset of sexual activity, reduce the number of partners, increase the use of condoms and contraceptives, and decrease rates of unintended pregnancies and sexually transmitted infections (STIs). Countries that have effectively implemented comprehensive sex education programs have demonstrated greater social development. A shift in societal attitudes is crucial to fostering open dialogue and respect surrounding sexuality.

Challenges and History of Sex Education in Mexico:

The history of sex education in Mexico has been characterized by a complex and challenging evolution, marked by social and cultural resistance, as well as a lack of training for educators. According to Armando Díaz (2013) and Gabriela Rodríguez (2005), three major phases can be identified in this trajectory, to which this study proposes a fourth crucial phase.

1974 marked the introduction of sexuality topics into free textbooks, such as the changes of puberty, pregnancy, and reproduction, with the initial goal of preventing early pregnancies. The content focused on biological aspects, such as menstruation, sperm production, and physical changes during adolescence, within the context of a government policy aimed at regulating birth rates. This thesis points out that, since their inception, the information in SEP (Mexican Ministry of Education) textbooks has remained firmly rooted in a biological and reproductive perspective, neglecting aspects such as pleasure, gender equality, abortion, and homosexuality.

In the late 1980s, the achievements of sex education were evaluated, revealing a decrease in teenage pregnancies and an increase in the information about sexuality and contraceptive methods received by students. The Acquired Immune Deficiency Syndrome (AIDS) epidemic, identified as a threat to young people starting in 1987, led to the inclusion of the topic in secondary school curricula and the development of prevention information campaigns.

The period beginning in 1994 introduced a new perspective on sexual and reproductive education, framed within the context of Human Rights. This implied a legitimization of the right to exercise free, responsible, informed, and gender-equitable sexuality, free from violence. The content was revised in 1998 to include values education, prevention, and gender differences. From the fifth grade onward, topics such as sexual relations, love, gender equality, sexism, rape, respect, and the prevention of sexually transmitted infections, including HIV/AIDS, were addressed (Rodríguez, 2002). However, this study highlights that the 1974 textbooks, with some modifications in 1988, remained in use until 1998, suggesting a slow adaptation to these new perspectives.

In 2008, the Mexico City Ministerial Declaration (MD) was issued to strengthen AIDS prevention in Latin America and the Caribbean. Commitments included ensuring access to comprehensive sexuality education and quality sexual and reproductive health services. The declaration emphasized the need for comprehensive sexuality education with a broad perspective based on human rights, respect for the values of a pluralistic and

democratic society, and the inclusion of ethical, biological, emotional, social, cultural, and gender aspects, as well as sexual diversity and identity. It also committed to training teachers and evaluating the implementation of programs.

Persistent Challenges and Critical Comparison with Current Reality

Despite these historical advances and the commitments of the Ministerial Declaration, the implementation of comprehensive sexual education in Mexico has faced cultural, religious and economic challenges (Rodríguez, 2005; Suárez, 2003).

An analysis of the free textbooks for 5th and 6th grade from 1974, 1998, and 2010, distributed by the SEP (Mexican Ministry of Education), shows that the information remains rooted in a biological and anatomical view of human sexuality. Physical and biological changes, the reproductive function of the organs, and hygiene are described.

The analysis of official textbooks conducted in this thesis indicates that formal sex education in Mexico has been influenced by conservative positions that have shaped its content (Rodríguez, 2005). This assertion is based on several thematic axes:

The content examined tends to focus on the biological and reproductive dimensions of sexuality, with little reference to pleasure or autoeroticism as components of holistic development. Furthermore, the practice of sexuality is primarily linked to stable emotional relationships, which defines the framework of legitimacy from which the topic is presented.

There is a recurring promotion of abstinence as a priority strategy, along with the idea that responsible sexual activity is reserved for adulthood. This orientation contrasts with demographic evidence indicating that sexual activity begins in adolescence, creating tension between normative discourse and social reality.

Information on contraceptive methods is presented in a limited way compared to the emphasis on abstinence. The analyzed material does not explicitly address abortion as an alternative to unplanned pregnancy, suggesting a narrowing of the information provided.

Although the texts include general references to human diversity and non-discrimination, there are no explicit mentions of categories such as homosexuality, bisexuality, or diverse gender identities. This omission can be interpreted as a predominantly heteronormative representation of sexuality (Rodríguez, 2005).

Educators often lack training and specialization in sex education, teaching the subject based on their own moral rules, taboos, and personal prejudices, which limits the objectivity and comprehensiveness of their instruction. The thesis underscores that, despite the

commitments of the Ministerial Declaration to train teachers, there has been a failure to provide comprehensive teacher training and professional development.

Schools are one of the main sources of information about sexuality for adolescents and young adults (Rodríguez, 2002; Mexican Youth Institute [IMJUVE], 2010). However, the thesis analysis indicates that textbook content can be presented unevenly or in a fragmented manner, which could lead to information gaps, especially in a context where access to the internet and social media exposes students to information that is not always reliable.

Sexology specialists, such as Juan Luis Álvarez-Gayou Jurgenson, have emphasized the importance of providing sex education from preschool onward, in order to promote progressive and responsible learning, rather than isolated interventions during adolescence. Along the same lines, international organizations such as UNESCO (2018) recommend initiating comprehensive sexuality education from an early age, including body awareness, personal boundaries, and protection against risky situations.

Educational Institutions as Protective Environments and the Challenges for Educators

Educational institutions are fundamental for the prevention, detection, and intervention in situations of violence against children and adolescents. Educators, due to their daily contact with students, are essential for early detection. However, to effectively fulfill this responsibility, they require adequate training and tools.

Several studies have identified critical challenges faced by teachers in preventing and detecting child sexual abuse. These include a lack of knowledge about the signs of abuse and appropriate response protocols (Kenny, 2001). There is also significant concern about the lack of institutional support or the fear of revictimizing children and adolescents (King, 2011). Furthermore, the persistence of myths about sexual abusers (such as the belief that they are strangers or easily identifiable) and about victims (such as the expectation that they will always show physical signs or express themselves clearly) considerably hinders early detection (Intebi, 2008 ; Cromer & Goldsmith, 2010).

It is important to remember that CSA is configured by a relationship of inequality (of age, maturity or power) and the use of the minor as a sexual object, without the need for explicit physical contact for its commission (Echeburúa & Guerricaechevarria , 2000).

Guidelines for Detection and Response in the School Setting

For the detection of child sexual abuse (CSA), the primary guide is the victim's account, the credibility of which can be influenced by factors such as the child's age, the absence of intellectual disability, and the parents' marital status (Melkman et al., 2017). Indicators of CSA can manifest in various ways. Psychological signs include nonspecific symptoms such as post-traumatic stress, or more specific ones such as hypersexuality (Intebi, 2008; Horno Goicoechea et al., 2001; Mathews, 2016). Physical indicators can range from genital injuries, bleeding, or infections to nonspecific symptoms such as abdominal pain (Intebi, 2008; Horno Goicoechea et al., 2001; Mathews, 2016).

In cases of suspected or confirmed sexual abuse of children (SAC), it is essential that schools follow a protocol that includes being attentive to changes in students and signs of abuse. They must also listen attentively and respectfully to the victim's account, providing support and guidance. It is crucial to keep a verbatim and contextual record of the account and report it to superiors and other relevant institutions (Giberti, 2015).

It is crucial that schools do not ignore, deny, judge the veracity of, examine the child's body, or conduct interrogations (Giberti, 2015). The approach to addressing child sexual abuse must be multidisciplinary, encompassing primary intervention (prevention before abuse), secondary intervention (networking and response training), and tertiary intervention (support for the child in post-abuse treatment) (Horno Goicoechea, 2001; World Health Organization, 2016). Prevention programs that teach safety skills, such as identifying dangerous situations and asking for help, have proven effective (Gilgun & Gordon, 1985; Davis & Gidycz, 2000; Committee for Children, 2001; Finkelhor, 2009; Vlahović-Štetić & Vizek-Vidović, 2012; Moreno-Manso et al., 2014).

Analysis of the Legal Basis and Co-responsibility:

The Mexican and international legal framework not only defines and sanctions the ASI, but also articulates a system of responsibilities for its prevention and attention.

The Political Constitution of the United Mexican States (CPEUM), as the supreme law of the land, recognizes and guarantees the rights of children and adolescents to comprehensive development. Article 4 establishes the right to the satisfaction of basic needs such as food, health, education, and healthy recreation, as well as the State's obligation to protect them against all forms of abuse, mistreatment, or neglect.

Article 3, for its part, enshrines the right to compulsory, universal, inclusive, public, free, and secular education. Likewise, the Constitution stipulates that all authorities must promote, respect, protect, and guarantee human rights in accordance with the principles of universality, interdependence, indivisibility, and progressivity.

The General Law on the Rights of Children and Adolescents (LGDNNA), published in 2014, aligns Mexican legislation with international commitments such as the Convention on the Rights of the Child. It establishes the “best interests of the child” as a key guiding principle. The LGDNNA details fundamental rights such as identity, education, health, and a life free from violence (Art. 13). Furthermore, it requires educational authorities to guarantee programs that promote respect for human rights, gender equality, and the prevention of violence and abuse (Art. 57). It also ensures the right of children and adolescents to receive adequate information and guidance on sexual and reproductive health (Art. 59).

The General Education Law (LGE) of 1993 reinforces the right to a comprehensive and quality education, also prioritizing the “best interests of the child.” It establishes mandatory preschool, primary, secondary, and upper secondary education (Art. 6). Its curricula must include human rights, gender equality, comprehensive sexual and reproductive education, and violence prevention (Art. 30). Crucially, it imposes on educational personnel the obligation to protect the physical, psychological, and social integrity of students and to report to the authorities any act that may constitute a crime (Art. 73). This legal provision makes educators key players in the early detection and prevention of child sexual abuse in schools.

The Convention on the Rights of the Child (CRC), adopted by the United Nations General Assembly in 1989 and ratified by Mexico, is a landmark document that establishes a comprehensive set of rights for children and adolescents. It recognizes the “best interests of the child” (Art. 3) as a guiding principle. The CRC commits States to protect children and adolescents from all forms of violence, abuse, and exploitation (Art. 19), specifically including sexual abuse (Art. 34). It also promotes their physical and psychological recovery and social reintegration (Art. 39) and enshrines the right to education (Art. 28 and Art. 29), seeking the development of their personality and respect for human rights.

International organizations such as UNICEF, UNESCO and the ILO contribute to the prevention of child sexual abuse through comprehensive approaches that strengthen national child protection capacities.

UNICEF promotes initiatives aimed at protecting the rights of children and adolescents, including educational programs, institutional strengthening and teacher training to promote the recognition of rights, early detection of risks and access to reporting and protection mechanisms.

For its part, UNESCO promotes Comprehensive Sexuality Education (CSE) as a rights-based preventive strategy, developing technical guidelines and educational materials aimed at strengthening skills for the prevention of violence and the informed exercise of sexuality.

The ILO, within the framework of eradicating child labor and its worst forms, addresses the commercial sexual exploitation of children and adolescents through actions aimed at their protection, removal from situations of exploitation and educational reintegration, as well as the strengthening of institutional and community capacities.

Taken together, this legal framework is fundamental because sexual abuse of children and adolescents (SAI), as a form of violence that violates their sexual freedom and development, has been normalized. The laws seek to reverse this situation, define and punish these crimes, and guarantee healthy sexual development free from violence. Shared responsibility is evident in the fact that the State does not act in isolation, but rather requires the participation of educational institutions, families, and society in general to create protective environments and ensure the necessary education for prevention.

Contrast with the Implementation Challenges in Mexico: The Case of Sex Education

Despite the strength of this legal framework and international commitments, the effective implementation of sex education in Mexico has faced significant challenges, creating a considerable gap between the letter of the law and practical reality.

The introduction of sex education has encountered social and cultural resistance, as well as a lack of training for educators. Factors such as cultural issues, religious influence, and the economic situation complicate its implementation in the country. Gabriela Rodríguez (2005) points out that the struggle for the recognition of sexual and reproductive rights in Mexico has been challenged by conservative groups linked to private Catholic schools and religious universities, as well as by church leaders, who are creating “ditches in the terrain of freedoms.”

An analysis of the free Natural Science textbooks for 5th and 6th grade (1974, 1998, and 2010 editions), along with those for Civics and Ethics, reveals that information about sexuality has remained attached to a predominantly biological view. The texts focus on human reproduction and physical changes, describing the reproductive organs and their function for that purpose. Human beings are differentiated by their external sex organs, comparing them to males and females in other species, which reflects a “simple construct of our society.”

They neglect crucial aspects of comprehensive sex education, such as pleasure, eroticism, and the right to make decisions about one's own body, and barely mention gender equality or sexual diversity. Only the 2010 sixth-grade Civics and Ethics textbook mentions enjoyment or pleasure in a sexual relationship, linking it to feelings and reproductive capacity, but without including masturbation. Sexual relations are primarily associated with the expression of love and respect in adulthood, promoting abstinence as the main preventative method and disapproving of sex for pleasure or outside of marriage. It is assumed that only adults have sex, even though rates indicate early sexual initiation in the country. The terminology used, such as " more private parts of the body," could foster prudishness and a conservative view of sexuality.

Information on contraceptive methods is scarce; condoms are mentioned primarily in relation to AIDS prevention. The 2010 sixth-grade science textbook is the only one that mentions a variety of methods, including the morning-after pill, but without explaining its use in detail. Abortion is not presented as an option in any textbook.

Although some Civics and Ethics textbooks from 2010 mention human diversity and the rejection of discrimination based on sexual orientation, they do not use explicit terms like homosexuality or bisexuality, perpetuating a dichotomous view of gender and failing to recognize other identities. Textbook images also reflect this conservative approach, shifting from detailed figures to less explicit, faceless drawings that emphasize glandular functions over bodily expression or diversity. In 1974, images of reproductive organs were covered with swimsuits due to the “moralist league.”

Educators, who are essential for the early detection of child sexual abuse, often lack the training and tools necessary to identify and address the problem. Their teaching is influenced by their own moral rules and taboos, which limits an objective and comprehensive view of the issue and makes it difficult for them to provide quality information to children and adolescents. Studies point to difficulties such as a lack of knowledge about signs of abuse

and how to respond, or concerns about a lack of institutional support. The Ministerial Declaration "Preventing with Education" committed to training both pre-service and in-service teachers, a commitment that remains unfulfilled.

Experts like Juan Luis Alvarez-Gayou Jurgenson, president of the Mexican Institute of Sexology, recommends that sex education be implemented starting in preschool to foster responsibility from an early age. UNESCO also recommends sex education from age five, teaching children that they are in control of their bodies.

The lack of comprehensive early education contributes to the fact that, despite legislation, rates of teenage pregnancy and STIs in Mexico remain alarming. Statistically, in Mexico, 6 out of 10 teenagers do not use any contraceptive method during their first sexual encounter, and the average age of initiation is 15.

This analysis demonstrates that the mere existence of a robust legal framework does not guarantee its effective implementation. This means that, beyond simply listing the laws, it is crucial to analyze how they are applied, what obstacles they face, and how these can be overcome so that the prevention of sexual abuse and the promotion of healthy and responsible sexuality become a reality in Mexico. It is imperative that educational programs move beyond a biological approach, incorporate a gender perspective, promote human rights, and recognize diverse sexualities, supported by teacher professionalization and interdisciplinary collaboration.

Results

Documentary analysis allowed the identification of findings related to prevalence, intrafamily context and normative-educational gap in relation to the magnitude, dynamics and institutional factors associated with CSA, as well as the role of sex education and the implementation of public policies in the Mexican context.

Regarding the magnitude of the phenomenon, a review of institutional reports and specialized literature positions Mexico as one of the countries with the highest incidence of child sexual abuse (CSA) worldwide, with estimates exceeding 4.5 million affected children and adolescents. However, these same documents reveal a significant gap in the reported incidence of the crime, as only about 1% of cases are formally reported, suggesting a substantial number of unreported incidents. Furthermore, the analyzed data identify a gender-differentiated pattern, with approximately one in five women and one in thirteen men reporting having suffered CSA during childhood.

Regarding the dynamics of the abuse, the findings contradict certain social representations that place child sexual abuse predominantly outside the family environment. Documentary evidence indicates that nearly half of the cases occur within the home and that, in a considerable percentage, the perpetrators are family members or people directly known to the victim. Similarly, legal and technical analyses converge on a definition of child sexual abuse that is not restricted to explicit physical contact, but is characterized by a relationship of structural inequality (whether due to age, power, or level of development) and by the exploitation of children and adolescents for sexual purposes.

Regarding sex education in Mexico, a historical analysis of free textbooks published between 1974 and 2010 reveals a persistence of approaches centered on biological and reproductive dimensions of sexuality, with an emphasis on anatomy and hygiene. This approach shows little incorporation of psychosocial, affective, and relational dimensions, as well as a lack of references to pleasure, eroticism, and sexual diversity.

Similarly, the reviewed literature indicates that terms and content related to sexual orientations and gender identities have been repeatedly omitted, limiting the recognition of diverse sexual realities among children and adolescents. Furthermore, the analyzed documents suggest that some teachers lack specialized training in sex education, which leads to the transmission of content based on personal beliefs, taboos, or individual moral frameworks.

Regarding the implementation of public policies, the reviewed institutional reports indicate that, by 2012, Mexico had only partially fulfilled the commitments made in the 2008 Ministerial Declaration on Prevention through Education, achieving approximately 68% of the established goals. In this context, a comparative analysis of the national and international regulatory framework and documented educational practices reveals a gap between the legal strength of child protection instruments and their effective application in the educational sphere, thus limiting the preventive scope of these provisions.

Discussion

The analysis of the results reveals a structural contradiction in the Mexican context, characterized by the coexistence of a current legal framework that broadly recognizes the rights of children and adolescents and an educational practice with limited scope in terms of prevention. Both the Political Constitution of the United Mexican States and the General Law on the Rights of Children and Adolescents establish the principle of the best interests of the child and the right to a life free from violence.

However, the documented magnitude of child sexual abuse (with estimates exceeding 4.5 million victims and reporting rates close to 1%) reveals a significant gap between legal recognition and effective implementation. This gap is related not only to the design of public policies but also to institutional limitations, underreporting of cases, and sociocultural barriers that hinder the detection, prevention, and visibility of the phenomenon.

Regarding sex education and its role in preventing sexual abuse, the findings align with those of Quiroz Cartagena (2015), who notes that the Mexican education system has not consolidated a comprehensive perspective on sexuality and continues to prioritize approaches centered on the biological and reproductive dimensions. This pedagogical limitation has been identified as a factor that can weaken preventive strategies against sexual abuse by restricting the development of knowledge, skills, and self-protection abilities in children and adolescents.

Another key finding is the gap between the legal obligation of teaching staff to report potential situations of violence against children and adolescents and the actual conditions for fulfilling this responsibility. The results suggest that teachers face various barriers that limit the timely detection and referral of cases.

In line with previous studies (Kenny, 2001; King, 2011), these barriers can be distinguished at two levels. Structural barriers include insufficient specialized training, the absence of clear protocols, and limited institutional support. Subjective barriers, on the other hand, include fear of professional repercussions or conflicts with families, as well as the influence of personal beliefs on how sex education and violence are addressed.

These elements reinforce the idea that the prevention of ASI does not depend exclusively on the existence of legal frameworks, but on sustained processes of teacher professionalization, institutional support and clear mechanisms of inter-institutional action.

Regarding the study's limitations, it is important to note that the research relies primarily on academic literature and regulatory frameworks, which is relevant to the

proposed legal-educational analysis, but restricts the inclusion of recent empirical evidence on the effectiveness of sex education programs implemented in classrooms in recent years. Furthermore, given that this is a qualitative documentary study, the findings are not generalizable to the entire country, where sociocultural and religious dynamics may have varying impacts on the implementation of this content.

Conclusion

Child sexual abuse (CSA) is one of the most serious forms of violence against children and adolescents due to its lasting effects on their overall well-being and development. It is a historically invisible phenomenon that continues to pose a significant challenge to guaranteeing human rights. In Mexico, the current legal framework (based on the Political Constitution, the General Law on the Rights of Children and Adolescents, the General Law on Education, and the Convention on the Rights of the Child) establishes formal foundations for child protection, with the support of international organizations such as UNICEF and UNESCO. However, analysis shows that the existence of laws and protocols is not enough to effectively prevent CSA. Various documentary estimates indicate that Mexico has a high incidence of this phenomenon, with more than 4.5 million victims, while only a small proportion of cases are reported, reflecting a significant gap between the magnitude of the problem and its institutional recognition.

Various approaches agree that the effective prevention of child sexual abuse requires a comprehensive perspective that transcends the application of regulations and fosters sustained cultural and educational transformations. A detailed analysis of sex education in Mexico, particularly based on the systematic analysis of free textbooks conducted by Quiroz Cartagena (2015), reveals significant gaps that limit the development of a preventative culture and the full exercise of the sexual and reproductive rights of children and adolescents.

This research confirms that sex education is an indispensable tool for the prevention of sexual abuse. While textbooks have incorporated advances since 1974, they continue to prioritize an understanding of sexuality focused primarily on its biological and reproductive dimensions, which limits its recognition as a complex social construct.

This perspective restricts the development of children's and adolescents' capacity to make autonomous, informed and responsible decisions, as well as to protect their well-being and exercise their rights in the personal and relational sphere.

To overcome this limitation, it is essential that sex education in Mexico integrates a gender perspective and full knowledge of human rights and international treaties, as well as overcome reductionist approaches focused exclusively on the biological dimension and review the normative and pedagogical guidelines that have restricted access to scientific and rights-based information, also incorporating content that recognizes diversity, including sexual orientation and gender identities.

Comprehensive sexuality education, from a human rights-based approach, recognizes well-being, pleasure, and a positive experience of one's body as essential components of holistic human development. International organizations such as UNESCO (2018) and the World Health Organization have indicated that appropriate sexuality education should help reduce feelings of guilt and stigma associated with sexuality, fostering a healthy and respectful relationship with one's own body.

Analysis of the reviewed textbooks suggests that references to pleasure are limited and are usually linked primarily to affective relationships, with little mention of autoeroticism as part of psychosexual development. Furthermore, international guidelines recommend that, from an early age, children recognize their bodies, their personal boundaries, and their right to bodily autonomy as a basis for protection against risky situations.

The absence or limited treatment of this content can restrict access to comprehensive information on sexual and reproductive rights and weaken preventive strategies aimed at the well-being and protection of children and adolescents.

Educational institutions are fundamental environments for the prevention, detection, and intervention in cases of violence against children and adolescents. However, teachers who provide sex education often lack specialized training and teach based on their own moral rules and prejudices, thus limiting objectivity and comprehensiveness. This situation is alarming, considering that schools are recognized as the primary source of information about sexuality for young people.

It is imperative that schools strengthen their role in preventing child sexual abuse by developing teacher training and specialization programs. This is crucial because educators are fundamental to early detection but often lack the necessary training to identify signs of abuse and respond appropriately. Furthermore, it is essential to implement sex education from an early age, including preschool, rather than relying on late interventions in adolescence—an approach supported by UNESCO (2018).

Educational institutions must foster an environment of open dialogue and respect regarding sexuality. This involves listening attentively to victims, providing them with support and guidance, and collaborating closely with mental health services and authorities. Finally, it is crucial that teachers consider the cultural and social context of their students, adapting their teaching to identify and support the inherent diversity of the country, thereby generating a more inclusive and contextualized understanding of sexuality.

Preventing child sexual abuse and promoting comprehensive sexuality education is a shared responsibility among the State, families, and society as a whole. A shift in societal attitudes is essential to overcome sociocultural barriers surrounding sexuality. This article, by synthesizing the severity of child sexual abuse with the specific shortcomings of the Mexican education system, offers added value by proposing a clear path for transformation. It goes beyond simply documenting problems; it delves into the interconnection between the lack of comprehensive sexuality education and the cycle of violence, offering detailed recommendations for reformulating educational content and professionalizing teachers as central pillars of a prevention strategy.

Ultimately, protecting our children and adolescents requires an unwavering commitment to implementing comprehensive sex education that not only informs about biology, but also empowers, educates on rights, promotes diversity, eradicates taboos, and celebrates pleasure, thus transforming the social structures that allow the persistence of sexual abuse and ensuring the full development and dignity of every person.

Future lines of research

A priority area for future research involves conducting contemporary evaluations of the effectiveness of the comprehensive sexuality education programs currently implemented by the Ministry of Public Education. It is especially relevant to analyze, through rigorous empirical designs, the actual impact of the new educational materials on the ability of children and adolescents to identify risk situations, recognize abusive behaviors, and activate early protection and reporting mechanisms.

The reviewed literature agrees that teachers are key players in the prevention of child sexual abuse, serving as the first line of detection within the school environment. However, significant training gaps persist, limiting their ability to effectively fulfill this role. Consequently, future research should focus on the design, implementation, and validation of teacher training and specialization programs that provide practical tools for identifying

indicators of abuse and applying unbiased intervention protocols. Furthermore, it is important to delve deeper into the psychological, cultural, and social barriers that inhibit timely intervention by teachers and influence the approach to sex education in the classroom.

Another relevant line of research is linked to sex education in early childhood, particularly at the preschool level. Various specialists and international organizations, including UNESCO, have emphasized the importance of initiating sex education at an early age. Within this framework, it becomes necessary to generate empirical evidence on appropriate pedagogical strategies to promote bodily autonomy, the recognition of boundaries, and the development of basic safety skills in six-year-old children and adolescents. Likewise, it is essential to explore the design of specific educational materials that avoid reactive or delayed approaches and foster, from the earliest stages, a responsible and conscious relationship with one's own body.

Future lines of research systematically address the so-called regulatory implementation gap, understood as the contradiction between the strength of the Mexican legal framework and the high rates of prevalence and underreporting of child sexual abuse. In this regard, it is pertinent to examine the cultural, religious, and economic factors that generate social resistance and hinder the effective application of the law in school settings. Likewise, it is necessary to analyze institutional mechanisms that strengthen shared responsibility among the State, the family, and society, in order to ensure that protection protocols transcend the legal sphere and materialize in concrete preventive practices.

An emerging and necessary line of research relates to the inclusion of sexual diversity and the adoption of emancipatory approaches in sex education. Various analyses have indicated that current educational materials maintain a predominantly biological and heteronormative perspective, which contributes to the invisibility and discrimination of certain identities. In this context, it is relevant to investigate the effects of explicitly incorporating content related to sexual diversity into school curricula, as well as the development of educational models that integrate pleasure, eroticism, and human rights as central pillars of comprehensive sex education. A comparative analysis of international experiences, such as that of Sweden, could provide valuable insights for understanding the necessary pedagogical adaptation processes in the Mexican context.

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Contribution Role	Author(s)
Conceptualization	María Fernanda Leal Martínez
Methodology	María Fernanda Leal Martínez
Software	Federico Hans Hagelsieb
Validation	Luis Alonso Hagelsieb Dorame
Formal Analysis	Federico Hans Hagelsieb
Investigation	Luis Alonso Hagelsieb Dorame
Resources	Luis Alonso Hagelsieb Dorame
Data curation	María Fernanda Leal Martínez
Writing - Preparing the original draft	Federico Hans Hagelsieb
Writing - Reviewing and Editing	Federico Hans Hagelsieb
Display	Federico Hans Hagelsieb
Supervision	Luis Alonso Hagelsieb Dorame
Project Management	Luis Alonso Hagelsieb Dorame
Acquisition of funds	Luis Alonso Hagelsieb Dorame