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Las agresiones sexuales cualificadas a personas en edad legal de consentimiento sexual *María Marta González Tascón*  
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esta obra realizada en el marco del proyecto nacional derecho penal y distribución de la riqueza en la sociedad tecnológica ii proyecto pid2022 1387700b 100 versa sobre las repercusiones que la ley orgánica 10 2022 de 6 de septiembre de garantía integral de la libertad sexual conocida como la ley del solo sí es sí y la ley orgánica 4 2023 de 27 de abril para la modificación de la ley orgánica 10 1995 de 23 de noviembre del código penal en los delitos contra la libertad sexual de la ley de enjuiciamiento criminal y de la ley orgánica 5 2000 de 12 de enero reguladora de la responsabilidad penal del menor han tenido en la tipificación penal de las agresiones sexuales cualificadas con víctimas en edad legal de consentimiento sexual estas agresiones sexuales son objeto de un análisis jurídico detenido en aras de evidenciar el estado actual de su tipificación penal los avances que se han realizado en la materia y las cuestiones pendientes de mejora también en este libro se identifican problemas de orden dogmático y de interpretación y aplicación normativa con gran relevancia práctica respecto de los cuales se plantean propuestas interpretativas fundamentadas con el objetivo de aclarar y facilitar la labor de los operadores jurídicos 210 páginas peso 415 gramos tirada 100 ejemplares primera edición octubre de 2025 este trabajo se ha realizado en el marco del proyecto de i d i pid2022 1387700b i00 derecho penal y distribución de la riqueza en la sociedad tecnológica ii en la página web de la agencia estatal boletín oficial del estado boe es apartado de publicaciones se incluyen las instrucciones para envío de originales normas para su

presentación y modelo de solicitud de publicación en esta colección que el autor deberá cumplimentar la aebae no se solidariza con las opiniones sostenidas por los autores de los originales publicados de los contenidos la autora agencia estatal boletín oficial del estado para esta edición cpage mpr gob es nipo 144 25 146 7 edición en papel nipo 144 25 147 2 edición en lónea pdf nipo 144 25 148 8 edición en lónea epub isbn 978 84 340 3098 5 depósito legal m 21587 2025 imprenta nacional de la agencia estatal boletín oficial del estado avenida de manoteras 54 28050 madrid portada datos de la publicación abreviaturas y acrónimos i introducción ii unas notas sobre la configuración del tipo básico del delito de agresión sexual 1 el alcance de las reformas penales de 2022 y 2023 2 el bien jurídico protegido la libertad sexual 3 el consentimiento 4 la significación sexual de la conducta iii tipos cualificados de la agresión sexual 1 observación previa 2 las circunstancias agravantes específicas del artículo 178 3 del código penal 2 1 introducción 2 2 el empleo de violencia o de intimidación 2 3 la ejecución sobre víctima que tiene anulada por cualquier causa su voluntad 3 el delito de violación 4 las circunstancias agravantes específicas del artículo 180 del código penal 4 1 observaciones generales 4 2 análisis particular de las circunstancias 4 2 1 cuando los hechos se cometan por la actuación conjunta de dos o más personas 4 2 2 cuando la agresión sexual vaya precedida o acompañada de una violencia de extrema gravedad o de actos que revistan un carácter particularmente degradante o vejatorio 4 2 3 cuando los hechos se cometan contra una persona que se halle en una situación de especial vulnerabilidad por razón de su edad enfermedad discapacidad o por cualquier otra circunstancia salvo lo dispuesto en el artículo 181 del código penal 4 2 4 cuando la víctima sea o haya sido esposa o mujer que esté o haya estado ligada por análoga relación de afectividad aun sin convivencia 4 2 5 cuando para la ejecución del delito la persona responsable se hubiera prevalido de una situación o relación de convivencia o de parentesco o de una relación de superioridad con respecto a la víctima 4 2 6 cuando el responsable haga uso de armas u otros medios igualmente peligrosos susceptibles de producir la muerte o alguna de las lesiones previstas en los artículos 149 y 150 del código penal sin perjuicio de lo dispuesto en su artículo 194 bis 4 2 7 cuando para la comisión

de estos hechos la persona responsable haya anulado la voluntad de la víctima suministrándole fármacos drogas o cualquier otra sustancia natural o química idónea a tal efecto 5 la circunstancia agravante del artículo 192 2 del código penal 6 el impacto de la cláusula concursal del nuevo artículo 194 bis del código penal iv una brevísima reflexión final v bibliografía vi resoluciones judiciales consultadas contraportada

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