

# Growing Rape Crisis in Nigeria; Empowering Girls by Addressing the Topic of Rape in Secondary Schools

Odunayo Omolola Babalola

Institute of Global Affairs and Sustainable Development, Osun State University.

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## ABSTRACT

Rape remains a significant issue worldwide, often obscured by pervasive myths and misconceptions that impede a clear understanding of its gravity. These myths frequently depict survivors as somehow deserving their fate, perpetuating victim-blaming attitudes that hinder justice and support. The prevalence of such myths, deeply entrenched in cultural norms and beliefs, contributes to a climate where survivors may not even recognize their victimization, and perpetrators may not comprehend the severity of their actions. This article delves into the impact of rape myths on victim blaming and the reporting of rape cases in Nigeria, where survivors often face numerous barriers to seeking justice. Drawing on research findings, it highlights the complex interplay of societal attitudes, fear of stigma, and pressure from communities and families that lead many survivors to withdraw their cases informally. Additionally, it underscores the crucial role of educating secondary schoolgirls in Nigeria and globally as a proactive measure to empower them with the knowledge and resources necessary to recognize, prevent, and report instances of sexual violence. Understanding these dynamics and promoting education initiatives is essential for fostering a culture of support and accountability for survivors while challenging harmful beliefs and attitudes surrounding rape.

**Key Words:** Rape, Sexual violence, Sustainable Development goals (SDGs), Girls

## INTRODUCTION

The worldwide prevalence of sexual violence is extremely alarming to the extent that the World Health Organization has classified it as a pandemic (Westmarland et al, 2012). Sexual violence is the term used to describe any sexual act that is achieved by the use of force or coercion. (Borumandnia et al., 2020). According to RAINN (Rape, Abuse and Incest National Network), an American is subjected to sexual assault every 68 seconds, while a child is being assaulted every 9 minutes. Sexual violence encompasses a broad spectrum of behaviours, such as sexual assault, sexual harassment, sexual abuse, and rape. Among these, intimate relationship violence is the most common manifestation of sexual violence. This paper focuses on rape, though it's important to acknowledge the broader spectrum of sexual violence.

Across the entire country, a staggering 81% of women have reported experiencing sexual abuse at some point in their lives. Furthermore, one out of every three women will encounter this type of violence between the ages of 11 and 17. (National Sexual Violence Resource Centre). Instances of rape can occur when perpetrated by strangers, acquaintances, or even family members.

In 2019, the number of reported incidents of rape against women reached a staggering 652,676. (Kuadli, 2022). Over the past decade, this number has been steadily increasing at an annual rate of 2.9% and there are no indications of it slowing down. The magnitude of sexual violence remains substantial, as it is predominantly concealed by victims and goes unreported. (Meleko et al., 2017). (Allison et al, 1993) identified a more significant issue some decades ago, estimating that only 2 – 5% of rapists are successfully prosecuted. Unfortunately, this problem persists to this day.

## Sexual assault in Nigeria

Nigeria has experienced an increase in incidents of kidnapping and rape, particularly since the establishment of

Boko Haram as a terrorist organization. There have been numerous cases of abductions involving men, women, and children. In certain instances, this gang has managed to get access to female secondary schools, where they have kidnapped pupils and coerced many of them into becoming child brides. One of the most notorious incidents was the kidnapping of 276 Chibok girls in April 2014. Despite the enormous public protest, no individuals have been apprehended or legally pursued, and 110 of the girls remain missing even after several years have passed, as reported by The Cable in 2022.

During periods of conflict and instability, such as the current situation in Nigeria with the existence of Boko Haram, rape is employed as a strategic tool to instill fear and intimidate the people. According to the research conducted by Bernstein et al. in 2009, women in many African cultures are often perceived as vulnerable and are exploited as a means to gain power. Their bodies become the site of conflict, as highlighted by Chiazor in 2016.

### **Addressing misconceptions about rape**

Rape is a grave issue that has an impact on every nation globally. This situation is obscured by myths and beliefs that hinder a clear understanding of its significance. The majority of these myths depict the survivors as deserving of their fate, or even inviting it by their choice of clothing or behaviours. The prevalence of rape myths has hindered the acceptance of the reality of rape for several individuals. They evaluate the events based on their beliefs and conclude that there was no genuine occurrence of rape, according to Burt (1980). According to Jamshed (2021), the existence of cultural double standards regarding sexual activities promotes the acceptance of rape myths, leading to the assumption that certain acts of rape are not considered rape at all.

Rape myths contribute to the phenomenon of victim blaming, in which the survivor is either subtly or overtly held responsible for the traumatic experience. Either the woman's behaviours were interpreted by the man as containing sexual innuendos, or she dressed in a provocative manner and stimulated the male's emotions. Certain rape myths are deeply embedded in society and widely accepted, to the extent that the survivor may not even recognise that they have been subjected to rape, and the rapist may not realize that their actions constitute rape.

### **Reporting and Informal Withdrawal of Rape Cases in Nigeria**

Typically, when survivors of rape report the crime to the police, either with the help of their family or independently, it is often because their experiences align with the characteristics of a "textbook" rape case. That is when a sexual assault takes place, in which therapist is unknown to the survivor. The probability of reporting a rape is lower when the survivor is acquainted with the rapist. (Williams, 2014). In order for a survivor to receive assistance and for the rapist to be held accountable, it is necessary for the survivor to make the decision to disclose the crime. If the incident goes unreported, it will remain unknown to anybody but the rapist and the survivor. A significant number of survivors are aware of this reality, and even in instances where the rape aligns with the archetypal rape scenario, they opt not to file a report, as doing so entails relinquishing power over the ultimate resolution of the case. Exposing oneself to mockery and contempt from both the community and the police is a common consequence, with no guarantee of the rapist being held accountable.

Although the incidence of rape is high and the rate of arrests is low, there seems to be a significant rate of case attrition. Rape survivors and/or their families often choose to withdraw rape claims from court for various reasons. In a study conducted by Kocturk et al. (2019), 73 survivors between the ages of 16 and 21 were examined. It was found that one-third of the survivors chose to withdraw their cases from court due to various reasons, while only 34.2% of the survivor's expressed satisfaction with the outcome of their cases.

Several variables have been recognized as contributing to the informal withdrawal of rape cases. These factors include the nature of the relationship between the rapist and the survivor, the fear of losing respect in the community, the loss of familial affection, the fear of stigma, and the tendency to blame the survivor. The fear of being perceived as promiscuous or as having provoked the rape. Additional factors that contribute to the withdrawal of rape cases in Nigeria include the survivor being subjected to pressure from family members or the community to "forgive" the rapist and drop the case. Occasionally, the survivor and/or her family receive monetary compensation as reparation for the rape, resulting in the withdrawal of the lawsuit.

Typically, it is impossible to withdraw a rape allegation. Crimes like rape are perpetrated against the state rather than the individual victim, making the state the primary complainant. The victim, on the other hand, is considered the nominal complainant or a witness in the case. In legal proceedings, the state retains the authority to pursue charges against a defendant even if the person who initially filed the complaint expresses a lack of interest in prosecuting and subsequently withdraws their involvement. The state can proceed with the prosecution independently, without relying on the victim's participation.

When it is necessary for the victim to testify in court in order to establish the defendant's guilt, the court has the authority to issue a summons, notifying the victim of the obligation to appear in court and provide testimony. The only factor that can halt the legal proceedings against a wrongdoer is insufficient proof, not bribes, petitions, consultations, compensations, or forgiveness. Rape is a criminal act that is defined and penalized by many laws in Nigeria. Specifically, the maximum punishment for the crime of rape is life imprisonment.

In the *SHONEYE v. STATE* decision, the Court of Appeal determined that once an individual or a victim notifies the police about a crime, their responsibility concludes. The victim does not possess the right to retract or revoke. A criminal offence has occurred, and the family of the victim is no longer able to retract their accusation. Only a legally authorized court may make a valid decision about a criminal case, and it is essential to allow the courts to fulfil their constitutional responsibilities without interference.

Nevertheless, due to factors such as public scrutiny, community and police discrimination, social pressure from friends and family, and the additional strain caused by the underlying abuse, certain individuals who have experienced rape may choose to cease their collaboration with prosecutors, thereby ensuring there is not enough evidence to successfully conclude the case. Teena McBride, as reported by Jonathan Hogan in the *Post Register* on February 12, 2020, highlights that the public often exhibits severe criticism towards the victims. Many individuals hold the belief that sexual assault typically occurs when an individual is peacefully residing in their own residence, only to be unexpectedly invaded by a stranger who proceeds to commit a sexual attack against them. The issue lies in the fact that the majority of sexual assaults do not occur in such a straightforward manner, and rather tend to involve more intricate dynamics.

In most instances, the survivor and the rapist had a close relationship, and subsequently, the rapist proceeds to shift blame onto the survivor by asserting that their flirtatious behaviours were the cause of the rape, even in cases involving child sexual assault. If the rapist enjoys a high level of popularity and esteem within the community, it is quite likely that the survivor will face negative consequences while the entire community rallies in support of the perpetrator. This is one of the primary reasons why the majority of survivors choose to withdraw rape charges from the court. Additional factors include familial and societal coercion, intimidation by the accused or their associates, and financial compensation provided to the survivor or their family.

According to a study from the Cabinet Office that was leaked to the *guardian*, over half of survivors of rape in the UK are withdrawing from investigations. This trend is observed as an increasing number of survivors choose not to pursue legal action, even when a suspect has been identified. Despite the increasing number of reported incidents, the police are submitting a reduced number of cases to the crown prosecution. While the reported instances experienced a significant 173% growth from 2014 to 2018, there was a notable decrease of 19% in the number of cases referred by the police and a substantial decrease of 44% in the number of cases prosecuted during the same time. According to the *Guardian*, in 2018, almost 20,000 women, on average one every 30 minutes, chose not to pursue a rape investigation, even when the perpetrator had been identified.

Claire Waxman, the inaugural victims' commissioner of London, has observed that the considerable percentage of survivors who are unwilling to pursue rape charges underscores substantial deficiencies in the manner in which the criminal justice system handles such cases. Katie Russell, a representative for Rape Crisis England & Wales, expressed that the Criminal justice process is excessively time-consuming and can cause further trauma for individuals who have already experienced sexual violence or abuse. Additionally, a spokesperson from the CPS disclosed that the widening disparity between the number of reported rapes and the number of cases brought to court is a significant concern for all involved in the criminal justice system, as an increasing proportion of reported rapes result in a conclusion of 'suspect identified, victim does not support further action'.

Based on a 2020 article from the *Guardian*, the police and courts find it more manageable to handle cases of

stranger rapes that involve clear indications of physical assault. Instances in which the survivor is acquainted with the defendant, includes alcohol or any other form of vulnerability, typically encounter obstacles that work against the victims. (Hubbard, 2009) stated that in Namibia, complainants requested withdrawals in over one third of all rape cases. In order to comprehend the underlying causes, a subsequent investigation was carried out, gathering data through focus group discussions and personal interviews. The prevalence of rape case withdrawals has been illuminated, revealing some of the underlying factors. It has been shown that the majority of victims and their families choose to pursue compensation. One explanation cited is that the criminal justice system provides victims with minimal support or compensation, except for the gratification of witnessing a perpetrator being incarcerated. In contrast to a protracted criminal process, compensation is expeditious and confidential, offering the individual who has experienced harm a tangible sense of restitution, along with much-needed cash support.

Hubbard et al. identified coercion as an additional factor contributing to the problem. Survivors may be coerced into accepting compensation against their volition, or may not even be included in the decision-making process. Certain survivors agree to get compensation due to familial coercion or out of concern for potential harm from the rapist. This option isn't truly a choice at all in these circumstances. As reported by the Nigerian Punch in 2019, a 24-year-old lady was purportedly administered drugs without her consent at a bar and thereafter subjected to rape by two individuals who had discontinued their studies at Babcock University. The survivor, in a letter dated June 3, 2019, directed to the Director of Public Prosecution, formally requested the withdrawal of the case. The survivor cited the influence of her family members and her desire to preserve her integrity as the reasons behind her choice.

Another reason why survivors often lose trust and choose to drop rape charges is due to insufficient training, as well as ineffective investigation and prosecution. Throughout the investigation and prosecution process, a woman who has experienced rape may face insinuations that she has some responsibility for the incident. This can manifest through questioning and comments regarding her attendance at the location of the rape or her choice of clothing. These beliefs, together with the societal shame associated with rape, discourage women from reporting the crime, and if they do report it, they often choose to withdraw the case.

In addition, there are certain behaviours that, while not explicitly outlined in legislation, have been widely acknowledged as customary. These practices disproportionately impact certain individuals, resulting in discrimination, and do not contribute to the expeditious or equitable resolution of the matter. Amnesty International (2006) provides an example of these rules, which pertains to the acceptability of medical reports. While the law does not explicitly state the types of medical reports that can be used as evidence in rape cases, all parties involved in prosecution have universally agreed to only accept medical reports provided by a medical practitioner in a government-operated hospital. This technique can result in delay or even a miscarriage of justice, particularly when the victim lacks fast availability to a government owned medical facility.

Amnesty International reports that most of the interviewed women who had experienced rape were unable to acquire a medical report. Some individuals reported a lack of access to medical facilities, while others mentioned financial constraints preventing them from obtaining a medical report. Additionally, there were others who sought medical treatment after a significant period of time had elapsed since the occurrence of the rape. The medical reports that were obtained were mostly from expensive private medical practitioners, and would not be considered admissible as evidence. These factors can discourage victims from reporting rape cases and, if reported, hinder the successful prosecution of the case.

### **The criminal justice system's response to rape in Nigeria.**

Country-specific laws and regulations are crucial instruments for implementing policies and translating them into action. These laws and regulations are specifically designed to address the unique demands and requirements of each country. Although the need for law improvement is ongoing in all countries, many emerging nations have been adversely impacted by deficiencies in their laws and regulations. In order to effectively integrate environmental concerns with economic growth, it is crucial to establish and implement cohesive and effective laws and regulations based on solid principles in each country. Developing effective programmes to assess and ensure adherence to accepted laws, rules, and standards is of equal importance. However, in general, several

African countries, including Nigeria, lack the determination to effectively implement stringent control procedures.

In Nigeria, and specifically in Osun State, there exist laws aimed at preventing and combating rape. A few of these laws are outlined below:

Section 357 of the Criminal Code in Nigeria stipulates that:

"Rape is the act of engaging in sexual intercourse with a woman or girl without her consent. This includes situations where consent is obtained through force, threats, intimidation, fear, false representation of the nature of the act, or impersonating a woman's husband if she is married."

According to Section 358:

"Any individual who engages in the act of rape is subject to a lifetime imprisonment sentence, with or without the infliction of caning."

According to Section 283 of the Penal Code:

The act of committing rape is punishable by imprisonment for life or for a shorter period, as well as a fine.

According to Section 357 of the Criminal Code, Laws of Osun State, 2002:

Rape is defined as engaging in sexual intercourse with a woman or girl without her consent, or with her consent obtained through force, threats, intimidation, fear, false representation, or impersonation of her husband, which is considered a criminal offence.

According to Section 358 of the Criminal Code, Laws of Osun State, 2002:

Individuals who engage in the act of rape are subject to a potential punishment of lifelong imprisonment, either with or without corporal punishment in the form of flogging.

Section 359 of the Criminal Code, Laws of Osun State, 2002

Any individual who makes an effort to perpetrate the crime of rape is considered guilty of a serious crime and can be sentenced to a maximum of fourteen years in jail, with or without corporal punishment.

### **Effects of Rape on Survivors**

Rape refers to any non-consensual sexual act perpetrated against the will of the survivor. The impact on the survivor can be either permanent or transitory, encompassing bodily harm, psychological distress, and in severe instances, fatality. In addition to the survivor, rape has an impact on all others in close proximity to the survivor, such as family and friends. (Crowell et.al,1996)

Despite a growing recognition of the frequency and harm caused by rape in recent years, there is a significant lack of research on the phenomenon called rape. (Idoko et al, 2020).

The repercussions of sexual assault perpetrated against women and girls extend much beyond the immediate harm inflicted upon the individual survivors. Their families and acquaintances may also experience the consequences. Regarding intimate partner violence, there is a growing body of information that demonstrates the detrimental effects on children who are exposed to violence inside their household. Society experiences economic detriment, both in terms of resource utilization and decreased production resulting from fear and physical harm. Gaining a comprehensive understanding of the repercussions of sexual violence is crucial for devising and executing effective treatments to address and mitigate these repercussions.

Following the Fourth World Conference on women in Beijing in 1995, it was noted that violence against women and girls hinders the attainment of goals related to equality, development, and peace. Violence perpetrated

against women infringes upon, hinders or invalidates the ability of women to fully experience their human rights and fundamental freedoms.

The United Nations (1995) states that acts or threats of sexual assault, whether they occur in the home or in the community, or are carried out or supported by the state, create dread and insecurity in the lives of women and girls. Based on this analysis, the persistent fear of sexual violence, including rape, acts as a constant barrier for women, restricting their ability to move freely and limiting their access to essential resources and activities. Sexual violence against women and girls is linked to significant social, health, and economic burdens for both the person and society. Violence against women is a significant societal mechanism that perpetuates the subordination of women to men.

The Global Commission on Women's Health, as stated by the United Nations in 1996, has found that sexual violence against women and girls not only results in physical harm and death, but also causes psychological stress, depression, substance addiction, injuries, sexually transmitted illnesses, HIV infection, suicide, and murder.

In its 1993 World Development Report, the World Bank conducted the first-ever evaluation of the health impacts of gender-based violence.

While the survivor is the most directly impacted individual in cases of rape, the repercussions extend much beyond the survivors. It has an impact on their most intimate connections as well as on the broader groups and cultures. The occurrence of rape, whether experienced during childhood or adulthood, has wide-ranging effects on not only the individual who was victimized, but also on their immediate family, friends, and society as a whole. Rape is a pervasive public health issue that impacts society as a whole. It has profound detrimental impacts on the physical and mental well-being, educational opportunities, employment prospects, crime rates, and overall economic stability of people, families, communities, and societies. These repercussions can persist throughout a person's lifetime and even extend to future generations. Child rape survivors experience both immediate psychological consequences and long-term ramifications of the trauma, which can significantly influence their psychological and emotional well-being as they grow and develop. Childhood rape has enduring consequences that persist into maturity, and these effects might manifest in different ways during adulthood, impacting both marital and parental aspects of life (Sharad et al. 2023).

### **Rape case withdrawals and the Sustainable Development Goals (SDGs)**

Violence against women and girls is acknowledged as a prevalent form of discrimination and a reflection of long-standing gender inequality between men and women. Violence against women and girls is widely recognized as a barrier to achieving equality, prosperity, and global peace. It also infringes upon the rights and fundamental freedoms of women. It has a negative impact on their security, liberty, integrity, and dignity. In simpler terms, it reduces or eliminates their ability to enjoy such rights and freedoms, while also putting their lives at risk and restricting their potential. Rape is prevalent and poses a significant obstacle, not just for women and girls, but also for the achievement of Sustainable Development Goal 5, specifically target 2.

### **SDG 5, Target 2 and the Role of Rape**

The Sustainable Development Goals were created in 2012 at the United Nations Conference on Sustainable Development held in Rio de Janeiro. (Kota, 2021). The goals were then implemented by the United Nations in 2015. (Anderson, 2022; Tremblay, 2021). There are 17 Sustainable Development Goals with a list of 169 Targets. These Targets are tracked by 232 indicators, (Lehner, 2021), which are created to preserve the earth and guarantee that everyone enjoys tranquillity and wealth by 2030. According to the Managing Director of NTU International, the advantage the goals have is that everyone can participate in one way or the other, and every little participation makes an impact. All 17 SDGs are merged, as steps in one area will influence the results in others. (Anderson, 2022).

Sustainable Development Goal 5 is to achieve Gender Equality and empower all women and girls. SDG 5 has 9 targets and 14 indicators. Target 2 aims to eradicate violence of all forms against all women and girls in the

public and private spheres, including trafficking and sexual and other types of exploitation. (Lima et al. 2024). SDG 5 is fixed on pursuing the objective of real and enduring gender equality in all facet of women and girls lives, and in particular to eliminate violence against women and girls.

Globally, the advancement in eradicating rape against women and girls has been sluggish, as evidenced by Adedeji (2023), and the lack of progress in prosecuting these cases is exacerbating the situation. SDG 5 is crucial for the accomplishment of all the SDGs, as it emphasizes the significance of women's equality and empowerment, which is vital for all dimensions of sustainable development. The SDGs recognise that in order to achieve "gender equality" and promote the inclusion of women, it is necessary to address and combat violence against women. (World Health Organization, 2019.)

## CONCLUSION, DISCUSSION AND RECOMMENDATION.

Rape has become a serious problem in our society without any relief in sight. Most rape cases are not reported to any of the authorities who can do something about it, and even where the case is reported, it is withdrawn before the law can take its course. This has led to the increase of rape cases across the country with no abatement in sight. Despite our many laws aimed at the prosecution and punishment of rape, the act has only increased as the laws have been rendered useless and ineffective. This is as a result of many of the victims not willing to come forward to report the crime or to testify against the rapist when the matter gets to court, leading to the withdrawal or striking out of the cases that do get to court.

Rape is a global issue with devastating consequences for victims. Addressing the myths surrounding rape, improving support systems for victims, and ensuring girls are equipped with the right knowledge and information in the fight against rape are all crucial steps towards reducing rape in our society.

### Educational Implications for Secondary School Girls

The global prevalence of sedual violence, particularly rape, makes it a critical topic for secondary school girls. Girls need to be equipped with the knowledge that rape is not normal and that it is a crime against them and against the state. Educating girls on their rights as a survivor will go a long way in curbing the withdrawal of rape cases in court, which will also help in the reduction and subsequent eradication of the problem.

### Recommendations

**Empowerment and Knowledge:** Understanding sexual violence and rape equips girls to recognize inappropriate behavior, identify potential risks, and make informed decisions about their safety. This reduces instances where the victim does not even know that a crime has been committed against them, or where they believe they are at fault and allow the case to be withdrawn from court.

**Consent Education:** Open discussions about consent are crucial. Girls must understand that consent is freely given, enthusiastic, and can be withdrawn at any time.

**Challenging Rape Myths:** Educating girls about the myths surrounding rape combats victim blaming and empowers them to seek help without fear of judgment.

**Building Confidence:** Knowing their rights and resources allows girls to feel more confident and prepared to speak up if they experience or witness sexual violence.

**Creating a Support System:** Schools can foster a safe space where girls feel comfortable discussing their concerns and seeking help from trusted adults or peers.

### Specific Strategies to incorporate Education on Rape into the School Curriculum

**Curriculum Integration:** Weaving discussions about sexual violence, consent, and healthy relationships into existing health or social studies classes can normalize these conversations.

**Guest Speakers:** Inviting experts from advocacy groups or law enforcement can provide valuable insights and resources.

**Workshops and Seminars:** Interactive workshops can provide a safe space for girls to ask questions and learn practical skills for staying safe.

**Bystander Intervention Training:** Equipping girls with the tools to intervene safely if they witness sexual harassment or assault can prevent further harm.

**Creating a Reporting System:** Schools should establish clear reporting procedures for sexual violence, ensuring accessibility and confidentiality for victims.

By prioritizing education about sexual violence, secondary schools can empower girls to protect themselves, challenge harmful stereotypes, and promote a safer learning environment for all.

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