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## Human Rights Council

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### Annual report of the United Nations High Commissioner for Human Rights and reports of the Office of the High Commissioner and the Secretary-General

Promotion and protection of all human rights,  
civil, political, economic, social and cultural rights,  
including the right to development

## Countering cyberbullying against persons with disabilities

### Report of the Office of the United Nations High Commissioner for Human Rights\*

#### *Summary*

The present report, submitted pursuant to Human Rights Council resolution 51/10, focuses on the experiences of persons with disabilities of cyberbullying, and the relevant human rights frameworks in which their rights are situated. The prevailing trends and challenges to effectively address cyberbullying against persons with disabilities are outlined, and promising counter-cyberbullying practices and interventions described. The report closes with a set of recommendations aimed at supporting individuals, communities, States and digital technology companies to develop rights-respecting responses to cyberbullying against persons with disabilities and ensure their participation in and access to the benefits of the digital environment.

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\* The present report was submitted to the conference services for processing after the deadline so as to include the most recent information.



## I. Mandate and scope

1. In its resolution 51/10, the Human Rights Council requested the United Nations Office of the United Nations High Commissioner for Human Rights (OHCHR) to prepare a report on countering cyberbullying against persons with disabilities, identifying recent trends and challenges, as well as applicable human rights principles, safeguards and best practices.
2. The present report is informed by submissions from 17 States and civil society organizations.<sup>1</sup> It also builds on work undertaken by OHCHR on cyberbullying against children, and draws from insights shared during a panel discussion on the same topic held by the Human Rights Council during its fifty-fourth session.<sup>2</sup>
3. In the report, OHCHR reiterates the importance of adopting a disability rights-based approach in countering cyberbullying. Human rights principles and frameworks relevant to the concept of cyberbullying against persons with disabilities are presented in chapters II and III, recent trends and challenges associated with effective prevention of and response to cyberbullying in chapter IV, promising practices aimed at reducing and countering the risks of cyberbullying in chapter V and recommendations to support stakeholders in addressing cyberbullying against persons with disabilities in chapter VI.

## II. Overview

4. Although the term “cyberbullying” lacks a formal definition in international human rights law, it is nevertheless frequently invoked to describe harmful conduct in digital spaces. In its resolution 51/10, the Human Rights Council recognized that cyberbullying could be understood as an intentional act carried out by an individual or a group using electronic forms of contact against victims, which was typically carried out repeatedly and over time and was often characterized by a power differential. The Special Representative of the Secretary-General on Violence against Children has articulated a similar understanding, while the Secretary-General has used a slightly different formulation, noting that cyberbullying involved the posting or sending of electronic messages, including pictures or videos, aimed at harassing, threatening or targeting another person.<sup>3</sup> The United Nations Children’s Fund (UNICEF) has defined cyberbullying as bullying with the use of digital technologies, noting that it was repeated behaviour, aimed at scaring, angering or shaming those targeted.<sup>4</sup> Thus, cyberbullying encompasses acts that constitute criminal offences, such as threats of violence, extortion and fraud, and acts that are not criminal in nature.
5. In some ways, parallels may be found between cyberbullying and traditional forms of bullying, while in other ways, cyberbullying presents novel challenges that require new approaches. Like cyberbullying, other forms of bullying revolve around real or perceived power imbalances, as well as intentional acts of abuse that can lead to long-term physical, psychological and social harm.<sup>5</sup> Cyberbullying, however, has the potential for more rapid dissemination, wider reach and dynamics of abuse that would not be possible in person.<sup>6</sup> It can occur anonymously and at scale, emboldening perpetrators, who operate with a perception of impunity and invisibility. In addition, victims cannot escape cyberbullying by extricating themselves from a physical location. Instead, cyberbullying can follow victims home, not only occurring in spite of isolation, but often thriving upon it, aggravating

<sup>1</sup> The full texts of the submissions received are available on the OHCHR website at <https://www.ohchr.org/en/calls-for-input/2024/call-input-human-rights-council-resolution-5110-cyberbullying-against-persons>.

<sup>2</sup> See OHCHR, “Human Rights Council holds panel discussion on cyberbullying against children”, 27 September 2023. The webcast of the panel discussion is available at <https://webtv.un.org/en/asset/k1m/k1mo6jr0hn>.

<sup>3</sup> A/73/265, para. 12.

<sup>4</sup> See UNICEF, “Cyberbullying: what is it and how to stop it – what teens want to know about cyberbullying”, last updated February 2024.

<sup>5</sup> See General Assembly resolution 77/201.

<sup>6</sup> See *Ending the Torment: Tackling Bullying from the Schoolyard to Cyberspace* (United Nations publication, 2016).

psychological harm.<sup>7</sup> Instances of cyberbullying leave lasting digital records that are accessible for years to come, causing recurring harm when they resurface anew. These dynamics may present new challenges for those with experience in countering traditional instances of bullying. At the same time, bullying and cyberbullying can interact and fuel one another, creating what the Secretary-General has referred to as a “continuum of damaging behaviour”.<sup>8</sup>

6. The Committee on the Rights of the Child has recognized cyberbullying, like other types of bullying, as mental violence.<sup>9</sup> Although it is particularly prevalent among children, cyberbullying affects people of all ages and walks of life. It may occur across a range of media and platforms, including via text messages, emails, social media, dating applications, gaming applications, websites, chat rooms and other online forums. It may take a range of direct and indirect forms, such as threatening, intimidating or harassing messages, including images or videos, impersonation, outing, doxing, stalking or personal attacks, including extensive insults, or acts aimed at the social exclusion of the victim. Cyberbullying may also occur without a single written word, but instead through the use of symbols, stickers, emojis, harmful surveys or deliberate acts of exclusion from digital spaces. Exhaustively chronicling all of the behaviours and actions that may constitute cyberbullying is an exercise in futility, as behaviours change alongside the evolving digital technologies and platforms on which they occur.

7. Amid the increasing digitalization of modern society, obstacles that threaten or inhibit meaningful participation in digital spaces can affect a wide range of human rights, including the right of access to information, freedom of opinion and expression, the right to participation in public and political life, the right to education, the right to equality and non-discrimination, the right to health, including mental health, the right to privacy, the right to decent work and the right to respect for the dignity of the human person. Indeed, the phenomenon of cyberbullying illustrates the indivisibility, interdependence and interrelatedness of human rights.

8. Cyberbullying disproportionately affects marginalized groups and persons in vulnerable situations, including persons with disabilities. Cyberbullying against persons with disabilities can contribute to their exclusion and mistreatment. Studies have found that persons with disabilities are significantly more likely to experience cyberbullying than other persons, and that persons with disabilities may even withdraw from digital spaces altogether as a result of online abuse.<sup>10</sup> Persons with disabilities face a disproportionate risk of hate speech, violence and abuse in the digital environment.<sup>11</sup> Studies also consistently show that children and young people with intellectual disabilities are more likely to experience cyberbullying and long-term harm.<sup>12</sup>

9. Cyberbullying may have lasting physical, psychological, educational and social consequences. The World Health Organization (WHO) described the effects of cyberbullying

<sup>7</sup> See the statement by Austria on behalf of a group of States during the panel discussion.

<sup>8</sup> [A/73/265](#), para. 12.

<sup>9</sup> Committee on the Rights of the Child, general comment No. 13 (2011), para. 21 (g), in which the Committee recognized that mental violence could include psychological bullying and hazing by adults or other children, including via information and communications technology such as mobile phones and the Internet (known as “cyberbullying”). See also the Committee’s general comment No. 25 (2021), para. 81.

<sup>10</sup> See submission of Maat for Peace, Development and Human Rights Association; Robin M. Kowalski and Allison Toth, “Cyberbullying among youth with and without disabilities”, *Journal of Child and Adolescent Trauma*, vol. 11, No. 1 (March 2018), pp. 7–15; and Anti-Bullying Alliance, “Evidence on online abuse”, February 2018, available at <https://committees.parliament.uk/writtenevidence/86982/pdf/>.

<sup>11</sup> See European Disability Forum, “EDF recommendations on EU initiatives on hate speech and hate crime”, April 2021.

<sup>12</sup> See, for example, United Nations Educational, Scientific and Cultural Organization (UNESCO), “Violence and bullying in educational settings: the experience of children and young people with disabilities”, 2021.

as a major public health concern, and it may lead to anxiety, insomnia, fear and even suicide.<sup>13</sup> It may also compromise academic performance and lead to depression, social isolation, substance abuse and unemployment.<sup>14</sup>

10. Cyberbullying also impedes progress towards Sustainable Development Goal 4, on ensuring inclusive and equitable quality education and promoting lifelong learning opportunities for all, and Goal 16, on promoting peaceful and inclusive societies for sustainable development, providing access to justice for all and building effective, accountable and inclusive institutions at all levels, including ending all forms of violence against children.

11. Digital technologies hold the potential to be transformative tools to further the empowerment of persons with disabilities, including by supporting persons with disabilities to live independently and expanding opportunities for access to healthcare, recreation, education, employment and participation in public life.<sup>15</sup> Efforts to counter cyberbullying against persons with disabilities must focus on thoughtful, inclusive design and development, and centre the autonomy, choice and agency of persons with disabilities.

12. The adverse impact of cyberbullying against persons with disabilities extends far beyond that community. The silencing and withdrawal of persons with disabilities from digital spaces renders those spaces less diverse, less vibrant and less informative, and, in short, diminishes them. The value of digital spaces is fundamentally inextricable from their inclusivity.

### III. Legal framework

13. International human rights instruments provide standard obligations relevant to cyberbullying against persons with disabilities, such as the principles of non-discrimination, equality, dignity and accessibility of information and technology.

#### A. Obligations of States

14. Under article 3 of the Convention on the Rights of Persons with Disabilities, the general principles of the Convention include respect for inherent dignity, individual autonomy and independence of persons, full and effective participation and inclusion in society, and respect for difference. They also include non-discrimination, equality of opportunity, accessibility, gender equality and respect for the evolving capacities of children with disabilities. Under article 5 of the Convention, as part of the obligation to promote equality and non-discrimination, States parties are required to ensure the provision of reasonable accommodation, as defined under article 2.

15. Pursuant to article 9 of the Convention, on accessibility, States parties have the obligation to take appropriate measures to ensure that persons with disabilities have access, on an equal basis with others, to digital technologies and that digital spaces are inclusive. Given the extent of public and political discourse that is now held in the digital realm, unequal access also affects a range of other rights of persons with disabilities, including the rights of access to education, employment, health and information and freedom of expression.<sup>16</sup>

<sup>13</sup> See, for example, statements by Kazakhstan, Luxembourg, Malaysia and Catholic International Education Office during the panel discussion; and submissions of World Federation of the Deaf, DeafKidz International and European Union of the Deaf Youth, and Maat for Peace, Development and Human Rights Association.

<sup>14</sup> See submissions of World Federation of the Deaf, DeafKidz International and European Union of the Deaf Youth and Maat for Peace, Development and Human Rights Association; and statement by United Nations Deputy High Commissioner for Human Rights during the panel discussion.

<sup>15</sup> The obligations of States parties to the Convention on the Rights of Persons with Disabilities to ensure these rights are set forth in articles 19, 27, 29 and 30 of the Convention.

<sup>16</sup> See Human Rights Council resolutions 50/15 and 53/29, and [CRPD/C/ISR/CO/1](#), [CRPD/C/MNG/CO/2-3](#) and [CRPD/C/TUN/CO/2-3](#).

16. Under article 16 of the Convention, States parties have an obligation to take all appropriate legislative, administrative, social, educational and other measures to protect persons with disabilities from and to prevent all forms of exploitation, violence and abuse. This obligation includes taking measures to prevent violence that is perpetrated through digital technologies, such as cyberbullying. Preventive measures may include ensuring assistance and support for persons with disabilities, along with their families, and providing information and education on how to avoid, recognize and report instances of cyberbullying, in forms that are sensitive to age, gender and disability.

17. The existing human rights framework also calls upon States to consider and address the disproportionate impact of cyberbullying on those who face multiple and intersecting forms of violence and discrimination. The Convention on the Rights of Persons with Disabilities requires States parties to take measures to ensure that women with disabilities are able to exercise their human rights on an equal basis with others. Furthermore, the Committee on the Elimination of Discrimination against Women has clarified that discrimination against women, as defined in article 1 of the Convention on the Elimination of All Forms of Discrimination against Women, includes gender-based violence in technology-mediated environments.<sup>17</sup>

18. Pursuant to article 7 of the Convention on the Rights of Persons with Disabilities, States parties must take all necessary measures to ensure the full enjoyment by children with disabilities of all human rights on an equal basis with other children, including the right to express their views freely on all matters affecting them. The Convention on the Rights of the Child provides that States parties are required to protect all children from violence while in the care of others (art. 19), that children have the right to freedom of expression, including the freedom to seek, receive and impart information and ideas (art. 13), and that children with disabilities should enjoy a full and decent life, in conditions which ensure dignity, promote self-reliance and facilitate the child's active participation in the community (art. 23). Both conventions underscore the State's obligation to consider children as rights holders, and require States parties to ensure that, in all actions concerning children, the best interests of the child are the primary consideration.<sup>18</sup>

19. The Committee on the Rights of Persons with Disabilities has recognized the growing role of cyberbullying in the lives of children, and the disproportionate impact of bullying in general on persons with disabilities, particularly women and girls.<sup>19</sup> The Committee has emphasized that the duty to prohibit all discrimination covers – among other forms of discrimination – harassment, including cyberbullying, cyberhate, and disability-based violence in all its appearances.<sup>20</sup> The Committee has also referenced the development of effective measures to prevent bullying as a core tenet of the right to inclusive education.<sup>21</sup>

20. The Committee on the Rights of the Child has elaborated on the rights of children to freedom from all forms of violence. The Committee has specified that mental violence may include psychological bullying and hazing, including through cyberbullying. It has noted that violence among children, including in the form of bullying, not only harms a child's physical and psychological integrity and well-being in the immediate term, but often has a severe impact on the child's development, education and social integration in the medium and long term.<sup>22</sup> The Committee has further opined on the new avenues for violence against children presented by the digital environment, referencing bullying as a form of cyberaggression. It has emphasized that States should take legislative and administrative measures to protect children from online violence.<sup>23</sup>

<sup>17</sup> Committee on the Elimination of Discrimination against Women, general comment No. 35 (2017), para. 20.

<sup>18</sup> See Convention on the Rights of Persons with Disabilities, art. 7 (2), and Convention on the Rights of the Child, art. 3.

<sup>19</sup> Committee on the Rights of Persons with Disabilities, general comment No. 4 (2016), para. 51.

<sup>20</sup> General comment No. 6 (2018), para. 18 (d).

<sup>21</sup> General comment No. 4 (2016), para. 69.

<sup>22</sup> Committee on the Rights of the Child, general comment No. 13 (2011), paras. 21 (g) and 27.

<sup>23</sup> General comment No. 25 (2021), paras. 81 and 82.

21. The Special Rapporteur on the rights of persons with disabilities, elaborating on State obligations under international human rights law, has expressed concern that advances in digital technologies can exacerbate pre-existing inequalities and discrimination, and has called for investment in infrastructure, skills, regulation and institutions, and for consultation with persons with disabilities, and their representative organizations, to achieve an inclusive and accessible digital environment.<sup>24</sup> The Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health has drawn attention to the challenges posed by digital technologies, noting that they can perpetuate ableism, racism, sexism or discrimination based on sexual orientation or gender identity.<sup>25</sup>

22. In its resolution 77/201, the General Assembly called on all States to protect children from cyberbullying, to provide appropriate support to children affected by and involved in bullying, to generate and analyse disaggregated data on cyberbullying against persons with disabilities, with a view to elaborating effective public policies, to enact legislation on cyberbullying where appropriate and to share national experiences and best practices.<sup>26</sup>

23. The General Assembly, on children's rights in the digital environment, has expressed serious concern that children with disabilities face stigmatization, discrimination and exclusion and are disproportionately subjected to mental and physical violence and sexual abuse, and has called upon States to bridge the disability digital divide and to create opportunities for inclusive and meaningful participation in decision-making processes by children with disabilities in all matters affecting them, including in the digital environment.<sup>27</sup>

24. Cyberbullying against persons with disabilities can also affect enjoyment of the rights of cultural and linguistic minorities. Persons who are deaf or hard of hearing, for example, constitute their own linguistic community, and their national sign languages are properly understood as minority languages, and in some countries are recognized as an official language. Pursuant to article 21 of the Convention on the Rights of Persons with Disabilities, States parties have an obligation to ensure that persons with disabilities are able to exercise the right to freedom of expression and opinion on an equal basis with others, including by recognizing and promoting the use of sign languages.

## **B. Responsibilities of business enterprises**

25. The duty of States to protect human rights includes protecting against human rights abuses involving business enterprises, as reaffirmed in the Guiding Principles on Business and Human Rights, the leading framework for the responsibilities of companies in preventing and mitigating adverse effects on human rights.

26. Pursuant to principle 12 of the Guiding Principles and the commentary thereto, business enterprises have a responsibility to respect all internationally recognized human rights, including the human rights of individuals belonging to specific groups or populations that require particular attention, such as persons with disabilities. Technology companies should anticipate and address harms related to the use of their products and services. This corporate responsibility to respect human rights requires business enterprises to make a policy commitment to respect human rights, carry out human rights due diligence and provide remediation or cooperate in the remediation of abuse where they have caused or contributed to adverse effects.<sup>28</sup>

27. Through its B-Tech Project, OHCHR provides further guidance regarding the duties of States and the responsibilities of business enterprises in the technology space.<sup>29</sup> Pursuant

<sup>24</sup> See [A/HRC/55/56](#).

<sup>25</sup> [A/HRC/53/65](#), para. 11.

<sup>26</sup> See General Assembly resolution 77/201, para. 3.

<sup>27</sup> See General Assembly resolution 78/187.

<sup>28</sup> See [A/HRC/56/50](#).

<sup>29</sup> See <https://www.ohchr.org/en/business-and-human-rights/b-tech-project>; in particular, see the B-Tech foundational papers on human rights due diligence and end-use ("Key characteristics of business respect for human rights") and on remediation ("Access to remedy and the technology sector:

to the Guiding Principles and corresponding B-Tech guidance, business enterprises should take a principled approach to identifying and addressing risks to human rights and should engage in robust human rights due diligence to identify, prevent or mitigate risks of harmful impact. In accordance with principle 18 of the Guiding Principles, human rights due diligence should draw on internal and/or independent external expertise and involve meaningful consultation with potentially affected groups and other relevant stakeholders: in this case, persons with disabilities and their representative organizations. States should apply a smart mix of the measures available to protect against human rights harms related to the products and services of business enterprises and non-State actors, including regulatory and policy measures and accompanying guidance, incentives and transparency requirements.

## IV. Recent trends and challenges

28. Basic services, including those relating to education, healthcare, banking and social services, were increasingly digitalized during the coronavirus disease (COVID-19) pandemic. While such digitalization may offer particular benefits and empowerment to persons with disabilities,<sup>30</sup> it also carries the risk of increased exposure of vulnerable individuals and groups to cyberbullying and other forms of abuse. Alongside this rise in reliance on digitalized services, cyberbullying occurs against a complex landscape of trends and challenges, as set out below.

### A. Limited awareness of the specific impact of cyberbullying on persons with disabilities and their rights and needs

29. Emerging research on countering cyberbullying often fails to consider the specific experiences of persons with disabilities in digital spaces or their unique needs.<sup>31</sup> In particular, there is a dearth of disaggregated data on the prevalence of cyberbullying against persons with disabilities, and the social, physical and mental health consequences that it precipitates.<sup>32</sup> The limited data that exists focuses on children, despite the fact that persons of all ages are targeted. It is worth recalling that article 31 of the Convention on the Rights of Persons with Disabilities requires States parties to collect appropriate information, including disaggregated data, to enable them to formulate and implement policies to give effect to the Convention, and to be used to identify and address the barriers faced by persons with disabilities in exercising their rights.

30. Persons with disabilities may be perpetrators or victims of cyberbullying, and may require support in both circumstances, as evidence suggests that perpetrators of cyberbullying are often victims themselves.<sup>33</sup> Persons with disabilities may also be witnesses to cyberbullying, an experience that may be perceived as particularly stressful by those with certain forms of disabilities.<sup>34</sup> While some persons with disabilities face barriers that inhibit their access to digital spaces, others use technology as support, including to live independently, spending greater amounts of time online than their peers.<sup>35</sup> Access for persons with disabilities to information in accessible formats and languages is critical to their social, political and economic participation and in order to dismantle the structural barriers that

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understanding the perspectives and needs of affected people and groups“ and “Designing and implementing effective company-based grievance mechanisms“).

<sup>30</sup> On how the digitalization of social services can enable objective treatment of persons with disabilities, see the submission of Azerbaijan.

<sup>31</sup> See submissions of Czechia, Maldives, Norway and Human Rights Commission of Mexico City (in Spanish).

<sup>32</sup> See submission of Slovenia; and UNESCO and Leonard Cheshire, *School Violence and Bullying of Children with Disabilities in the Eastern and Southern African Region: A Needs Assessment* (Harare, UNESCO, 2022).

<sup>33</sup> See statement by UNICEF during the panel discussion.

<sup>34</sup> UNESCO, “Violence and bullying in educational settings”, p. 4.

<sup>35</sup> See Australia, eSafety Commissioner, “How Bad Should It Be Before I Tell Someone?”: *Online Abuse Experiences of Adult Australians with Intellectual Disability – Implications for Resource Development* (Melbourne, 2022).

contribute to their exclusion.<sup>36</sup> Given the diversity of impairments and support needs of persons with disabilities, knowledge of the extent and nature of cyberbullying against this community remains woefully nascent.

31. The lack of awareness of cyberbullying through the lens of disability affects initiatives aimed at mitigation and response. While resources on countering cyberbullying remain limited, they are even more scarce in formats accessible to persons with disabilities.<sup>37</sup> Resource constraints often inhibit the development of materials in accessible formats for an array of needs. When campaigns to prevent and address cyberbullying are developed in formats that are inaccessible to persons with disabilities, they exclude a critical segment of their audience.<sup>38</sup> Ensuring the participation of persons with disabilities, and their representative organizations, in the development of interventions and policies that affect them ensures that those interventions and policies are responsive to their needs.

## **B. Privacy and accommodation**

32. International human rights law, including the Convention on the Rights of Persons with Disabilities (art. 22), recognizes the right of persons with disabilities to the privacy of their personal and health information. However, persons with disabilities often face difficult choices between using assistive tools or accommodation that require or imply the disclosure of an impairment, and avoiding those tools to avoid cyberbullying on the basis of disability.<sup>39</sup> A study led by the Council of Europe found that all children interviewed were unanimous in stating that they avoided disclosing their disability online.<sup>40</sup> Adults also face difficult choices, finding it appropriate or necessary to disclose their disability in certain contexts, but simultaneously finding that such disclosure exposes them to significant risk in others.

## **C. Technology-facilitated sexual and gender-based violence**

33. Among the dimensions of cyberbullying are its manifestations as sexual and gender-based violence. It may take the form of dissemination of intimate or sexual images or videos, violent threats, hate speech, sexting, sextortion, sharing of intimate media without consent, spreading of offensive rumours, impersonation, hacking, doxing, stalking or hostile comments at the level of sexual harassment and abuse.<sup>41</sup> A World Bank study indicated that only a small minority of States had established legal protections against cyberharassment.<sup>42</sup>

34. Technology-facilitated sexual and gender-based violence disproportionately affects women and girls with disabilities, and those who face other, intersecting forms of discrimination on the basis of race, ethnicity, gender identity and expression, sexual

<sup>36</sup> See Article 19: International Centre against Censorship, “Disability and information: what are your rights?”, December 2018. Available at [https://www.article19.org/wp-content/uploads/2018/12/Disability\\_leaflet\\_English.pdf](https://www.article19.org/wp-content/uploads/2018/12/Disability_leaflet_English.pdf).

<sup>37</sup> See submission of World Federation of the Deaf, DeafKidz International and European Union of the Deaf Youth.

<sup>38</sup> See submissions of Colombia (in Spanish) and NetMission.Asia.

<sup>39</sup> See, for example, Laura Lundy and others, “Two clicks forward and one click back: report on children with disabilities in the digital environment”, Council of Europe, October 2019; and Ariana Aboulafia, “Internet privacy is a disability rights issue”, Tech Policy Press, 19 January 2024.

<sup>40</sup> See Lundy and others, “Two clicks forward and one click back”; and European Disability Forum, “EDF recommendations”.

<sup>41</sup> See submission of Maat for Peace, Development and Human Rights Association; and United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women), “FAQs: trolling, stalking, doxing and other forms of violence against women in the digital age”, available at <https://www.unwomen.org/en/what-we-do/ending-violence-against-women/faqs/tech-facilitated-gender-based-violence>.

<sup>42</sup> See Isabel Santagostino Recavarren and Marina Elefante, “Protecting women and girls from cyber harassment: a global assessment”, World Bank, 27 November 2023.

orientation and other factors.<sup>43</sup> These risks in online spaces mirror offline dynamics, where women and girls with disabilities may face up to 10 times more violence than other women and girls.<sup>44</sup>

35. Technology-facilitated sexual and gender-based violence may contribute to violence and harm offline. In addition to having mental and physical effects on its victims, technology-facilitated sexual and gender-based violence may fuel physical attacks.<sup>45</sup> Indeed, some forms of cyberbullying constitute a form and continuation of sexual and gender-based violence. The failure to prevent and punish these violations is a failure of States in their responsibility to address violence in all its forms.

36. These dynamics simultaneously exacerbate and are compounded by the gender digital divide. The compounding and intersecting forms of abuse that women and girls with disabilities and other persons with disabilities face contribute to their underrepresentation in online civic spaces, which further limits their digital skills and participation.<sup>46</sup> In this destructive cycle, human rights violations in cyberspace drive disengagement from those forums, rendering those who disengage even less well-equipped to handle future violations.

#### **D. Lack of legislation sensitive to the rights and needs of persons with disabilities**

37. Given the vast diversity of experiences and forms of cyberbullying, it is a particularly complicated subject to address through legislation. Most countries lack legal protections against online abuse and harassment that meet international human rights standards.<sup>47</sup> While certain forms of cyberbullying have become the subjects of laws and regulations – including laws establishing criminal offences, such as extortion, sexual abuse of children, threats of violence or stalking – other forms of cyberbullying often remain beyond the scope of existing legislation. In other instances, cyberbullying laws focus on acts targeting minors, but leave others unprotected. Complex legal situations make it difficult for victims to know when legal remedies are available or appropriate.

38. The variety of experiences of persons with disabilities requires nuanced responses and interventions in terms of protection, including approaches aimed at shifting social norms and psychosocial, health and educational interventions that offer greater support to perpetrators, witnesses and victims. Such a nuanced approach is particularly necessary given that certain legislative measures adopted to counter cyberbullying may themselves pose a risk to human rights or inadvertently restrict freedom of expression, such as when formulations are overly broad or vague.<sup>48</sup>

39. The participation and active involvement of and partnership with persons with disabilities, and their representative organizations, in the development of legislation and policies that affect them is fundamental to the success of those initiatives.<sup>49</sup> Indeed, it is only through comprehensive understanding of the experiences of persons with disabilities of cyberbullying, including through studies and the collection of disaggregated data through the

<sup>43</sup> See UN-Women, “FAQs”; and Platform of Independent Expert Mechanisms on the Elimination of Discrimination and Violence against Women, “The digital dimension of violence against women as addressed by the seven mechanisms of the EDVAW Platform: thematic paper” (Strasbourg, Council of Europe, 2022).

<sup>44</sup> See Mari Koistinen and others, “Five facts to know about violence against women and girls with disabilities”, World Bank, 5 December 2019.

<sup>45</sup> See statement by International Planned Parenthood Federation during the panel discussion.

<sup>46</sup> Ibid.; and Andrew Perrin and Sara Atske, “How can we ensure that more people with disabilities have access to digital devices?”, World Economic Forum, 16 September 2021.

<sup>47</sup> See Santagostino Recavarren and Elefante, “Protecting women and girls from cyber harassment”.

<sup>48</sup> A/HRC/23/40, para. 69. See also statement by United Nations Deputy High Commissioner for Human Rights during the panel discussion.

<sup>49</sup> See the preamble to the Convention on the Rights of Persons with Disabilities, on the importance of ensuring that persons with disabilities have the opportunity to be actively involved in decision-making processes about policies and programmes, including those directly concerning them.

lens of disability, that legislation, policies and approaches responsive to their needs may be thoughtfully crafted.

## E. Obstacles to reporting

40. The harm wreaked by cyberbullying is compounded when persons with disabilities are unable to report their experiences and effectively articulate the harms that they face online. An array of obstacles regularly inhibit them from doing so. Shifting norms in the digital environment – combined with definitional differences and inconsistencies – make it difficult to consistently identify cyberbullying. These dynamics, in turn, inhibit its monitoring and reporting. Cyberbullying often evolves alongside the digital platforms and spaces, where groups of users – often children – develop their own sets of online norms, ethics and standards of acceptable behaviour.<sup>50</sup>

41. Persons with certain forms of disabilities may face further challenges in understanding appropriate online behaviour and interpreting the nuances of online communication, which can make it even more difficult for them to understand either when they are experiencing cyberbullying or when recourse is available or appropriate.<sup>51</sup> Awareness, including among carers, of what constitutes cyberbullying is crucial to recognize when someone is being targeted and to know when and how to seek recourse, especially in the case of persons with intellectual disabilities, who may particularly benefit from support systems to navigate digital spaces.<sup>52</sup>

42. Social stigmas and taboos make it difficult for persons with disabilities, particularly children, to disclose cases of abuse.<sup>53</sup> Cyberbullying of persons with disabilities is less visible to parents, teachers and those providing care and support than offline forms of bullying. These dynamics reinforce broader trends of underreporting of cyberbullying, among both persons with disabilities and other persons.<sup>54</sup>

43. While many companies prohibit bullying on their platforms – including bullying of persons with disabilities – as a matter of policy, there are serious shortcomings. Policies are often vague and confusing. Lack of information in easy-to-understand formats makes it particularly challenging for children and adults with intellectual disabilities, who may benefit from more accessible explanations and supportive resources to navigate such platforms effectively. Lastly, the application and enforcement of content policies is often inconsistent.

44. In addition, persons with disabilities describe a pervasive sense of helplessness and disillusionment with regard to official reporting channels. According to one study, more than 70 per cent of deaf youth find it daunting to seek help after experiencing cyberbullying, and 80 per cent perceive that reporting cyberbullying to social media platforms will be ineffective.<sup>55</sup> Given the perception of futility, many victims of cyberbullying simply choose not to report their experiences.

45. Communication barriers with social media platforms and other digital technology companies, including support systems and reporting features that are inaccessible to persons with disabilities, can inhibit effective communication and reporting. There is also a need for training and education in accessible formats on digital literacy and legal rights and recourse.

<sup>50</sup> See statements by Yony Tsouna, founder and Co-Director of Matzmichim – Israeli Violence Reduction Organization, and Save the Children International during the panel discussion.

<sup>51</sup> See submission of World Federation of the Deaf, DeafKidz International and European Union of the Deaf Youth.

<sup>52</sup> See Australia, eSafety Commissioner, *“How Bad Should It Be Before I Tell Someone?”*.

<sup>53</sup> See submission of World Federation of the Deaf, DeafKidz International and European Union of the Deaf Youth.

<sup>54</sup> See Kowalski and Toth, “Cyberbullying among youth”.

<sup>55</sup> See submission of World Federation of the Deaf, DeafKidz International and European Union of the Deaf Youth, citing figures from a project conducted by the European Union of the Deaf Youth entitled “Deaf Youth against Cyberbullying: Action Kit and Manifesto”, in which it surveyed respondents across Europe aged 15 to 35 years.

## F. Intersecting risks and impacts of cyberbullying

46. Persons with disabilities are not a homogeneous group, and do not experience cyberbullying in the same ways.<sup>56</sup> In addition to the diversity of experiences lived by persons with disabilities, an array of intersecting characteristics, including age, gender, race or ethnicity, nationality, religion, sexual orientation, gender identity, language and socioeconomic or immigration status, among a range of other factors, may influence a person's vulnerability to cyberbullying.<sup>57</sup>

47. While cyberbullying affects persons of all ages, its prevalence among children warrants particular consideration. Cyberbullying is estimated to affect approximately one in three teenagers worldwide.<sup>58</sup> Digital acts of violence form a continuum with violence in the physical environment, with research suggesting that children with disabilities are three to four times more likely to be the victims of violence – online and offline – than other children.<sup>59</sup>

48. There is a lack of research on the impact of cyberbullying on persons with disabilities as a whole, and no nuanced understanding of how intersecting characteristics affect their risk and experience of cyberbullying. Preliminary information suggests that the consequences of cyberbullying on older deaf individuals, for example, can be profound and contribute to a decline in health and quality of life.<sup>60</sup> A major study by the United Nations Educational, Scientific and Cultural Organization (UNESCO) indicated that learners with disabilities were disproportionately affected by bullying at all ages.<sup>61</sup> Gaps in the data remain, and an array of intersecting characteristics that compound cyberbullying against persons with disabilities warrants further study so that tailored interventions, policies and support mechanisms may be developed.

## G. Complex relationships between cyberbullying and offline social dynamics, including loneliness

49. Cyberbullying is often perpetrated by persons known to the victim, such as classmates, colleagues or former friends or partners, rather than strangers.<sup>62</sup> As a result, some persons with disabilities may be willing to tolerate – and not report – cyberbullying, deeming it preferable to social isolation and exclusion.<sup>63</sup>

50. Loneliness and isolation often leads people to spend more time online, creating a dangerous feedback loop where loneliness increases vulnerability and exposure to cyberbullying. At the same time, being a victim of cyberbullying contributes to a feeling of loneliness and lower self-esteem. WHO has deemed loneliness in general a pressing public health threat, and has established social connection as a global health priority.<sup>64</sup> While digital technology can play a powerful role in supporting social connection, it is important to ensure that persons with disabilities are not denied its benefits as a result of cyberbullying.

<sup>56</sup> See Lundy and others, “Two clicks forward and one click back”.

<sup>57</sup> See Niombo Lomba, Cecilia Navarra and Meenakshi Fernandes, *Combating Gender-based Violence: Cyberviolence* (Brussels, European Union, 2021).

<sup>58</sup> See UNESCO, “New data reveal that one out of three teens is bullied worldwide”, 1 October 2018; and UNICEF, “UNICEF poll: more than a third of young people in 30 countries report being a victim of online bullying”, 3 September 2019.

<sup>59</sup> UNESCO, “Violence and bullying in educational settings”, p. 2.

<sup>60</sup> See submission of World Federation of the Deaf, DeafKidz International and European Union of the Deaf Youth.

<sup>61</sup> UNESCO, “Violence and bullying in educational settings”, p. 14.

<sup>62</sup> See, for example, statement by Mr. Tsouna during the panel discussion; UNESCO, “Violence and bullying in educational settings”; and Robert Preidt, “Your kid’s cyberbully is more likely to be their friend”, CBS News, 22 August 2016.

<sup>63</sup> For example, UNESCO, “Violence and bullying in educational settings”, p. 4.

<sup>64</sup> See <https://www.who.int/news/item/15-11-2023-who-launches-commission-to-foster-social-connection>.

51. Cyberbullying may also constitute an additional layer of trauma for those who are already experiencing traditional forms of bullying. Progress in countering cyberbullying requires concurrent engagement with offline social dynamics, including issues related to entrenched social and economic inequalities, discriminatory treatment of women and sexual minorities, and navigation of the complex social dynamics of children.<sup>65</sup>

## **H. Inadvertent impact of countermeasures on other human rights**

52. Measures taken to counter cyberbullying may have an inadvertent negative impact on the enjoyment of a range of other rights. Initiatives aimed at reducing cyberbullying may, for example, have the unwitting effect of imperilling freedom of expression and diminishing civic space and discourse.

53. Without precautions, interventions to detect and remove content that could constitute cyberbullying may have deleterious effects for human rights, including the rights of persons with disabilities. For example, efforts to remove what is termed harmful misinformation relating to persons with disabilities could inadvertently suppress legitimate and protected speech as a consequence of vague or overly broad laws and policies, often enforced with little transparency.<sup>66</sup> Interventions aimed at removing or reducing the visibility of content expected to trigger cyberbullying of persons with disabilities could affect their right to expression, and their right of access to information on digital platforms. In implementing zero-tolerance policies aimed at eliminating cyberbullying, it is imperative that States and digital technology companies consider the international human rights framework in its entirety and the unintended consequences of counter-cyberbullying interventions.

## **V. Promising practices**

### **A. Enhancing the awareness and agency of persons with disabilities in digital spaces**

54. Several initiatives to address cyberbullying have focused on preventive approaches through the empowerment of persons with disabilities in digital spaces, including efforts to ensure agency and autonomy in digital settings. Creative interventions have sought to empower individuals with the digital literacy skills required to identify and address cyberbullying, including against persons with disabilities. Such efforts, often driven by civil society actors, play an important role in helping individuals to navigate online spaces safely and effectively, but cannot replace action to be taken by States and businesses in accordance with their human rights obligations and responsibilities.

55. According to Maat for Peace, Development and Human Rights Association, a non-governmental organization based in Egypt, education campaigns have been launched in Morocco that are designed for persons with hearing impairments. These campaigns and courses, developed in sign language, are aimed at raising awareness about digital safety.<sup>67</sup>

56. In Finland, KiVa, a research-based anti-bullying programme, includes role-playing exercises and computer games aimed at increasing empathy and expanding awareness of action that victims could take in the face of bullying, including cyberbullying.<sup>68</sup>

57. In States including Indonesia, Solomon Islands and Viet Nam, the Swipe Safe programme, developed by ChildFund Australia, offers training for youth on digital safety,

<sup>65</sup> See General Assembly resolution 75/166.

<sup>66</sup> On the adverse impact of laws and company policies and practices targeting disinformation, see, for example, [A/77/287](#), paras. 41–45, and [A/HRC/47/25](#), paras. 56–58, 70 and 71.

<sup>67</sup> See submission of Maat for Peace, Development and Human Rights Association. See also <https://ijnet.org/en/node/8832> (in Arabic).

<sup>68</sup> See <https://www.kivaprogram.net/what-is-kiva/>.

including on the security features of popular applications, and exercises to understand potential risks in online spaces.<sup>69</sup>

58. In Italy, the State Police, in collaboration with the Cine-TV Roberto Rossellini State Higher Education Institute in Rome, developed a documentary film spotlighting a paralympic champion in a campaign to prevent cyberbullying. In a separate initiative, a campaign was launched at the Eurovision Song Contest by the Observatory for Security against Acts of Discrimination, of the Ministry of the Interior, in which video clips were recorded with the competing artists aimed at raising awareness about various forms of discrimination and hatred, including online and on the basis of disability.<sup>70</sup>

59. In Spain, a series of workshops has been developed for women and adolescents with intellectual disabilities on prevention and the safe and responsible use of the Internet, reaching more than 11,000 people.<sup>71</sup>

60. Promising interventions have also leveraged the use of educational games and activities. For example, the DeafKidz Defenders programme is a games-based intervention aimed at educating deaf and hard-of-hearing children on how to identify cyberbullying and seek help. Importantly, the games are available in multiple languages and are designed to be suitable for use in countries with low Internet bandwidth.<sup>72</sup>

61. In South Africa, Media Monitoring Africa, its Web Rangers programme and Impact Amplifier have developed a comic book to support young people in navigating the dynamics around cyberbullying and stereotypes about persons with disabilities, supporting digital literacy and responsible online behaviour.<sup>73</sup>

62. Several organizations and States have established points of immediate contact for those who experience or witness cyberbullying. In Italy, youth ambassadors on cyberbullying empower students to become active protagonists in the fight against cyberbullying, and points of reference for their peers in need of support, including those with disabilities. In addition, schools assign a teacher to serve as a contact person for initiatives against cyberbullying, cooperating with law enforcement agencies, associations and youth centres.<sup>74</sup>

## **B. Tailored, accessible resources and support services**

63. In response to the need for tailored resources in formats accessible to persons with disabilities, several initiatives have emerged to develop accessible resources and support services on cyberbullying.

64. In Spain, the State Confederation of Deaf Persons has collaborated with the National Cybersecurity Institute to develop resources on cyberbullying for deaf youth and their families and ensure that those resources are available in sign language.<sup>75</sup> Also in Spain, a 24-hour service, available by telephone, email and online chat, provides information, legal advice and immediate specialized psychosocial care to lesbian, gay, bisexual, transgender and intersex victims of all forms of violence or discrimination on the basis of sexual orientation or gender identity, and is accessible to persons with hearing and/or speech impairments.<sup>76</sup>

65. Media Monitoring Africa, based in South Africa, offers Real411, an accessible online platform through which the public can submit complaints about online harms. The complaints are reviewed by experts and the outcome, with an explanation, is published on the platform.

<sup>69</sup> See <https://www.childfund.org.au/swipe-safe-program/> and, for example, <https://www.globalpartnership.org/blog/role-education-combating-cyberbullying-indonesia>.

<sup>70</sup> See submission of Italy.

<sup>71</sup> See submission of Spain (in Spanish).

<sup>72</sup> See submission of World Federation of the Deaf, DeafKidz International and European Union of the Deaf Youth.

<sup>73</sup> See submission of Media Monitoring Africa.

<sup>74</sup> See submission of Italy.

<sup>75</sup> See submission of World Federation of the Deaf, DeafKidz International and European Union of the Deaf Youth.

<sup>76</sup> See submission of Spain (in Spanish).

An appeals process is available, with cases reviewed by a former judge of the Constitutional Court of South Africa.<sup>77</sup>

66. In Czechia, the iPREV platform allows primary and secondary schools to record occurrences of behaviour such as cyberbullying, and to monitor its prevalence.<sup>78</sup>

### C. Training of teachers, law enforcement officials, parents and caregivers

67. Several States have developed initiatives aimed at empowering teachers, parents, caregivers and law enforcement officials to support the prevention and detection of and response to cyberbullying. Some of these initiatives, however, remain general, with limited integration of a specific disability-rights perspective.

68. In Czechia, as part of the DigiKoalice platform, the National Pedagogical Institute offers courses, webinars and workshops to teachers free of charge, aimed at preventing cyberbullying.<sup>79</sup> In Mexico, the Cyber Police Unit of the Department of Public Security of Mexico City gives talks on the safe and responsible use of technological tools and provides guidance to victims of cyberbullying and their families about options for filing complaints with the legal authorities.<sup>80</sup>

### D. Establishing public-private partnerships to counter cyberbullying

69. In response to the need for cross-sectoral collaboration, public-private partnerships have been established specifically to raise awareness about and address risks related to cyberbullying and persons with disabilities.<sup>81</sup>

70. At the Paris Peace Forum in 2022, the Children Online Protection Lab was launched, following an international call to stand up for children's rights in the digital environment. It is a multi-stakeholder initiative, supported by several States, civil society organizations and businesses, to identify and develop protocols and solutions to enable children to use digital tools safely.<sup>82</sup>

71. UNICEF has partnered with Meta, Snapchat, TikTok and X (formerly known as Twitter) to develop resource guides focused on cyberbullying and video clips featuring influencers describing their experiences of being bullied online.<sup>83</sup> In another joint initiative, in India, UNICEF and Facebook partnered to deliver a nationwide social media campaign focused on digital literacy and safety for children and adolescents.<sup>84</sup>

## VI. Recommendations

**72. The challenge of cyberbullying sits at the nexus of multiple intersecting and overlapping human rights issues. As States and society grapple to keep pace with the risks and opportunities presented by digital technologies, particularly for vulnerable and marginalized communities, OHCHR recommends that States:**

**(a) Recognize and implement through legislative and policy frameworks the right of persons with disabilities to be consulted, through appropriate support systems and an accessible environment allowing meaningful representation and participation, on policies and initiatives to counter cyberbullying against them;**

<sup>77</sup> See submission of Media Monitoring Africa.

<sup>78</sup> See submission of Czechia.

<sup>79</sup> Ibid.

<sup>80</sup> See submission of Human Rights Commission of Mexico City (in Spanish).

<sup>81</sup> See submission of Guatemala (in Spanish).

<sup>82</sup> See <https://parispeaceforum.org/initiatives/children-online-protection-lab/>. For a list of supporters, see [https://www.diplomatie.gouv.fr/IMG/pdf/children\\_online\\_protection\\_lab\\_cle098714.pdf](https://www.diplomatie.gouv.fr/IMG/pdf/children_online_protection_lab_cle098714.pdf).

<sup>83</sup> See UNICEF, "Cyberbullying: what is it and how to stop it".

<sup>84</sup> See UNICEF, "UNICEF and Facebook collaborate to build safer and healthier online experiences for adolescents and children", 9 August 2021.

(b) Take a holistic approach to countering cyberbullying, including by addressing discrimination against persons with disabilities in both online and offline manifestations, promoting autonomy and addressing specific risk factors, paying adequate attention to the fields of education, employment and health, and applying a gender perspective;

(c) Expand inclusive digital literacy initiatives – including creative, accessible campaigns that leverage games, simulations, storytelling, social media, comic books or educational entertainment or spotlight local “heroes” who have responded effectively to cyberbullying – with a view to supporting the responsible use of digital spaces, raising public awareness of strategies to prevent and respond to cyberbullying against persons with disabilities and expanding awareness of the tools and resources available to support those who experience or witness cyberbullying;

(d) Encourage the development and implementation of policies on bullying, including cyberbullying, in schools and workplaces, and the creation of focal points to serve as immediate resources, points of contact and ambassadors for responsible social engagement in digital spaces;

(e) Enact and implement action plans on cyberbullying in a manner consistent with their obligations under international human rights law, paying particular attention to the forms of cyberbullying experienced by persons with disabilities;

(f) Expand comprehensive training across social sectors on countering cyberbullying against persons with disabilities, including in schools, workplaces, healthcare and law enforcement;

(g) Ensure, including as part of such training, that victims and witnesses of cyberbullying, as well as classmates, colleagues, medical professionals, parents, caregivers and support providers, are equipped with the knowledge and tools necessary to identify and report cyberbullying and warning signs thereof;

(h) Expand the availability of resources for persons with disabilities who have experienced, been involved in or witnessed cyberbullying, including psychosocial support, mental health services and education on legal redress, and ensure that such resources are available in formats accessible to all persons with disabilities;

(i) Take specific action to encourage and expand reporting of cyberbullying, and to ensure that reporting platforms and channels are accessible to all persons with disabilities, including children;

(j) Encourage and provide incentives for research on the impact of cyberbullying against persons with disabilities and the efficacy of interventions aimed at countering cyberbullying, with a focus on gathering disaggregated data, using a human rights-based approach to data, on the risks and impact of cyberbullying faced by persons with disabilities and intersecting risks and impacts;

(k) In partnership with relevant civil society organizations, including organizations of persons with disabilities, provide guidance to digital technology companies on the rights and needs of persons with disabilities, including the specific challenges that they face in mitigating and as a result of cyberbullying;

(l) Explore creative private-public partnerships, partnerships between Government and civil society and partnerships between States and regional and international organizations as a means of expanding awareness of and countering cyberbullying, including against persons with disabilities, with the inclusion of technology companies, schools, organizations of persons with disabilities and other civil society organizations;

(m) Focus on the agency and meaningful participation of persons with disabilities in all initiatives to prevent and counter cyberbullying, and prioritize their rights and diverse needs;

(n) Apply a smart mix of the measures available to protect against cyberbullying of persons with disabilities related to the products and services of digital technology companies, including regulatory and policy measures and accompanying guidance, incentives and transparency requirements.

73. Furthermore, and in recognition of the essential role that the private sector plays in responding to risks in the digital environment, OHCHR recommends that digital technology companies, with the support of organizations of persons with disabilities:

(a) Engage in safety by design, including by developing tools aimed at supporting the safety, well-being and active online participation of persons with disabilities and at encouraging all users to act responsibly in digital spaces;

(b) Systematically undertake human rights due diligence in the design, development and use of technological products and services, with a focus on their impact on the rights and needs of persons with disabilities, including as a result of cyberbullying;

(c) Conduct and share the findings of internal research and assessments on measures to mitigate the unique impact of cyberbullying on persons with disabilities, and the efficacy of interventions to counter cyberbullying;

(d) Ensure that mechanisms and channels available for the reporting of cyberbullying, including appropriate operational grievance mechanisms, are accessible to all persons with disabilities, including children;

(e) Meaningfully engage with persons with disabilities, and their representative organizations, including in the conduct of human rights due diligence, to understand their concerns around cyberbullying and related barriers to their safe participation in digital spaces.

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