**Digital Health & Rights Project submission to the UN Working Group on discrimination against women and girls: 2026 Thematic Report on Gender Equality, the Digital Space and the Age of Artificial Intelligence**

## Introduction

1. The Digital Health and Rights Project (DHRP)[1] welcomes the opportunity to provide input to the UN Working Group on discrimination against women and girls' forthcoming report on Gender Equality, the Digital Space and the Age of Artificial Intelligence.[2]

2. This submission draws on findings from research conducted by DHRP outlined in their report titled 'Paying the Costs of Connection: Human rights of young adults in Colombia, Kenya, Ghana and Vietnam'.[3] The research included interviews with 302 young adults ages 18-30 who were either living with HIV, sex workers, gay men and other men who have sex with men, transgender or gender diverse, or cisgender women. We also interviewed 41 experts from UN agencies, government and civil society.

3. This submission is structured in accordance with the questions within the questionnaire for civil society organisations, including answers only to those most relevant to the work of DHRP.

## General: Women's & Girls' Rights in an Era of New and Emerging Technology

Impact of digital technologies and AI on the rights of women and girls

4. New and emerging technologies including AI can have a detrimental impact on the enjoyment of women's and girls' human rights. Whilst at the core the use of digital technologies, in particular AI, fundamentally involves data and how it is used, exploited, and manipulated, thereby triggering the right to privacy in an array of manners, AI applications and technologies can affect the whole range of human rights depending on how, by whom and for what purpose they are used.[4] Considering DHRP's research and the work of its members, we have highlighted below examples of how new technologies and AI can disproportionately impact women's and girls' rights to health, including sexual and reproductive health, as well as their economic and labour rights.

*Right to health including sexual and reproductive health*

5. The use of data-intensive technology, including AI, within the healthcare sector has been expanding rapidly in recent years from health apps, electronic medical records, to smart supply chain management to drone delivery of medication, to automated diagnostics, and

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[1] See: https://digitalhealthandrights.com/digital-health-and-rights-project/
[2] Call for input available at: https://www.ohchr.org/en/calls-for-input/2025/call-inputs-2026-thematic-report-gender-equality-digital-space-and-age
[3] Digital Health and Rights Project Consortium, 'Paying the costs of connection: Human rights of young adults in the digital age in Colombia, Ghana, Kenya and Vietnam', 2025. Available at: https://digitalhealthandrights.com/wp-content/uploads/2025/05/DHRP-UOW-report-April-2025-digital-final.pdf
[4] Privacy International, 'Artificial Intelligence', https://privacyinternational.org/learn/artificial-intelligence; Privacy International, 'Privacy International's submission for the High Commissioner for Human Rights' report on privacy in the digital age and discrimination', May 2025. Available at: https://privacyinternational.org/sites/default/files/2025-08/PI%20submission%20on%20privacy%20and%20discrimination%20final.pdf &

much more.[5] The adoption of these technologies in the delivery of healthcare can lead to abuses of the right to privacy and discriminatory outcomes.

6. While the digital transformation has the potential to revolutionise health systems and access to health information globally, including improved access in low- and middle-income countries, existing socio-economic, gender and other inequalities have created gaps in access that leave many without access to essential information and services. The digital health transformation remains unequal, particularly with regards to gender, as nine in ten young women in Africa and Asia are offline.[6] DHRP's research findings echoed this as women in rural regions of all four countries described unreliable Internet coverage (whether through Wi-Fi or mobile service) as frequently interrupting their access to health services, such as telemedicine appointments. This was especially raised in focus groups of cisgender women in rural regions of Colombia. For example, in a focus group with rural cisgender women in Soacha, an agricultural town outside of Bogota, participants said that the satellite dishes they rely on for Internet access were often knocked out during storms.[7]

7. Accessing some of these digital health initiatives within reproductive healthcare oftentimes requires interacting with a digitalised system that collects vast amounts of personal information, which can have consequences for privacy.[8] For example, digital initiatives such as SMS appointment scheduling, remote access to care and counselling, health workers using a mobile phone to track an individual pregnant mother over the cycle of pregnancy, or a child over his/her cycle of immunization, and the use of mobile applications, sensors, wearable devices and others, all collect personal information.[9]

8. Digital technologies aimed at women's and girls' health specifically, colloquially known as the "fem-tech" industry, have rapidly expanded in the past few years to address a wide range of issues including sexual wellness, menopause, pelvic health, and mental health.[10] Although this can empower women and girls by providing smart ways to track their menstrual cycle and offering increased access to sexual and reproductive health information including abortion care, particularly to those who face discrimination, stigma or taboo, it can also threaten their right to privacy, which is essential in the enjoyment of sexual and reproductive rights.[11] In particular concerns with digital health apps being unregulated alongside the information people both knowingly and unknowingly provide to these apps, which can be very personal health information, that can be exploited in unexpected ways.[12] Menstrual tracking apps have been exposed for interfering with the enjoyment of women's and girls' rights, including their right to privacy and sexual and reproductive health, either by exploiting

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[5] Privacy International, 'Why we need to talk about digital health', https://privacyinternational.org/long-read/5593/all-eyes-my-period-period-tracking-apps-and-future-privacy-post-roe-world
[6] UNICEF, 'Bridging the digital gender divide', 2023. Available at: https://data.unicef.org/resources/ictgenderdivide/
[7] Ibid, n3, pg. 24.
[8] See: Privacy International, India's Mother and Child Tracking System, https://privacyinternational.org/long-read/4610/indias-mother-and-child-tracking-system
[9] Privacy International, Protecting Privacy In The Digitalisation Of Reproductive Healthcare, https://privacyinternational.org/campaigns/protecting-privacy-digitalisation-reproductive-healthcare
[10] See: https://medicalfuturist.com/10-outstanding-companies-for-womens-health/
[11] Ibid, n10.
[12] Privacy International, 'Digital Health: what does it mean for your rights and freedoms', https://privacyinternational.org/long-read/4671/digital-health-what-does-it-mean-your-rights-and-freedoms

users' sensitive data for economic gain,[13] or fears over the data collected being used to criminalise those seeking abortion care.[14]

9. The use of digital technologies has also facilitated the exploitation of personal data by non-state actors (sometimes supported by state authorities) seeking to curtail women's access to abortion.[15] Privacy International and its partners in Argentina, Brazil, Chile, India, Indonesia, Kenya and Peru have documented a range of data exploitation practices used by anti-abortion groups to limit women's access to reproductive healthcare. These include targeting advertising using geo-fencing, which involves using mobile phone location data to send targeted ads to a users' phone when they are within a particular area, in this case within the vicinity of abortion clinics,[16] as well as data-collection tactics deployed by crisis pregnancy centres using online chat services.[17]

10. As access to healthcare, including sexual and reproductive healthcare becomes even more digitalised, companies and governments must ensure that the digital systems are built with women's and girls' rights considered and protected.

*Economic and labour rights*

11. A main finding of DHRP's research was evidence of a digital gender divide. Participants highlighted several barriers faced by women accessing digital technologies including AI, such as the high costs of technologies including smartphones and data bundles, living in rural areas with poor Internet connection, lack of digital literacy skills, and experience of stigma. Gender inequality was a cross-cutting factor across all these as women focus group participants (including cisgender and transgender women) spoke more about experiencing these issues. This was widely discussed by women across Kenya, Ghana and Colombia, with many young women said they lacked the funds to pay for access to digital technologies themselves. For example, in a focus group near Medellin, Colombia, a 29-year-old woman explained that women in her rural community are economically dependent on male partners to get online: "Well, it may be different because of the fact that most men work, right? It's easier for them to access the Internet, they can pay for their Internet... On the other hand, many women do not have access to jobs, and we rely a lot on our husbands, and if they do not pay for the Internet, or do not recharge our phones, we will not have access to the Internet."[18]

12. As governments increasingly move services online, exclusion from digital spaces can affect women's and girls' intersecting and interdependent human rights, including the right to health, right to privacy, and other social and economic rights.

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[13] BBC News, 'Menstrual tracking app users cautioned about risks', 11 June 2025. Available at: https://www.bbc.co.uk/news/articles/cgj8eq01vdxo

[14] Privacy International, 'All Eyes on my Period? Period tracking apps and the future of privacy in a post-Roe world', https://privacyinternational.org/long-read/5593/all-eyes-my-period-period-tracking-apps-and-future-privacy-post-roe-world

[15] Privacy International, 'International Safe Abortion Day 2023', https://privacyinternational.org/long-read/5145/international-safe-abortion-day-2023

[16] See: https://www.privacyinternational.org/examples/2489/massachusetts-attorney-general-bars-anti-abortion-mobile-advertising-inside-womens

[17] Privacy International, 'Country case-study: sexual and reproductive rights in India', available at: https://privacyinternational.org/long-read/3863/country-case-study-sexual-and-reproductive-rights-india; Privacy International, 'A Documentation of Data Exploitation in Sexual and Reproductive Rights', available at: https://privacyinternational.org/sites/default/files/2020-04/PI-Sexual-Repruductive-Rights-report.pdf & Privacy International, 'Country case studies, reproductive rights', available at: https://privacyinternational.org/learning-resources/country-case-studies-reproductive-rights

[18] Ibid, n3, pg. 26.

13. Regarding labour rights, DHRP's research team in Colombia accumulated important accounts of severe workplace violence reported by webcam models in Medellin, consistent with reports documented in an investigation by Human Rights Watch.[19] Within DHRP's research transgender sex worker participants said that photographs, videos and phone numbers they had posted on their profiles on online escort sites were sometimes stolen by other websites and used without the sex workers' consent. As a result, a 22-year-old participant said she had been harassed by strangers who had found her photograph and personal contacts reposted on sites over which she had no control: "Those screenshots are all over Google. In other words, if I tell someone my user-name, they can search for it and they will find a whole bunch of screenshots of me since I entered the webcam [business]…because I myself have searched for them, and it's like "Oh, now how do I delete this thing here?".[20] In the face of these abuses, Colombian authorities are failing to act, thereby failing to protect the right of sex workers and webcam models to safe and healthy working conditions.

    What immediate steps should be taken—at the national, regional, or international level—to ensure that AI is developed and deployed in ways that advance the rights of women and girls

14. At the national level States have an obligation to ensure the equal enjoyment of human rights by all people, therefore, to ensure technologies do not risk perpetuating or even amplifying existing inequalities, including gender inequality, States should:

    - Encourage the development of digital tools and platforms that are designed inclusively, considering the diverse needs of women and girls, by upholding the right to meaningful participation[21].
    - Refrain from deploying and using AI and other technologies that may have discriminatory impacts or risk amplifying existing structural and systemic inequalities.
    - Adopt, review and update existing discrimination laws and modern data protection legislation to address the risk that AI and digital technologies pose to women and girls ensuring protection against gender-based discrimination.
    - Adopt robust anti-discrimination policies that address biases in digital technologies, including ensuring that AI systems do not perpetuate or exacerbate existing inequalities.
    - Ensure that any involvement of new technologies and/or AI in the decision-making process of the provision of public services, undergo thorough human rights due diligence to prevent discriminatory outcomes.
    - Ensure businesses explicitly include in their human rights due diligence policies an assessment of the potential discriminatory impacts of the processing of personal data throughout the lifecycle of any technology deployment.

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[19] Human Rights Watch, "I learned how to say no": Labor abuses and sexual exploitation in Colombian webcam studios, 2024. Available at: https://www.hrw.org/report/2024/12/09/i-learned-how-say-no/labor-abuses-sexual-exploitation-colombian-webcam-studios

[20] Ibid, n3, pg. 31.

[21] Under international human rights law, this right is grounded in the rights to information, freedom of expression, peaceful assembly and association, and freedom of political and other opinion established in the International Covenant on Civil and Political Rights. The right to participation is articulated in other human rights treaties that are binding on states, including the Convention on the Elimination of Discrimination Against Women,Convention on the Rights of Persons with Disabilities, and the International Convention on the Rights of All Migrant Workers and Members of their Families. The content of this right has been elaborated by human rights treaty bodies and special procedures, as well as in other statements of soft law: the Declaration on the Right to Development, the Declaration on the Rights of Indigenous Peoples, and the Guideline for States on the Effective Implementation of the Right to Participate in Public Affairs. UN member states further committed to upholding participation rights through the Sustainable Development Cooperation Framework.

15. DHRP and its partners, have engaged collectively and individually with several UN human rights mechanisms[22], global health organisations and other international bodies on the impact of digital technologies and AI on women's and girls' rights[23]. While these engagements have proved effective in raising awareness and creating normative guidance to uphold human rights regarding the use of digital technologies and AI, more needs to be done to ensure that they are implemented at the national level as well as by the private sector.

**Technology Facilitated Gender Based Violence**

Understanding and defining technology facilitated gender-based violence (TFGBV)

16. Participant's experience with technology-facilitated abuse (TFA) emerged as an important concern from DHRP's research. Approximately 75% of focus group participants had experiences of abuse including verbal abuse, doxxing, stalking, blackmail, and extortion, against themselves or their peers. These abuses appeared increasingly normalised among the young adults. Transgender women in Colombia and cisgender women in Kenya mentioned this most often in interviews and focus groups. Participants disclosed numerous instances of cyberbullying, including sexual harassment, non-consensual posting of intimate photographs, and verbal abuse on social media (including publicly and privately, through direct messages or social chat). In Mombasa, a participant in a group of women living with HIV said: "I am a victim. There is someone, I don't know where they got the information that I am HIV positive. So, they sent me a text and what was in the text was so hurtful I cannot talk about them here."[24]

17. DHRP also found that TFA cannot be understood as an online-only phenomenon but as existing along a spectrum that occurs both online and offline, which is important to defining and understanding TFA.[25]

18. Few of the young adults DHRP spoke to had been successful when reporting abuse to online platforms, or in getting access to redress. In Bogota, Colombia, a transgender woman who had experienced abuse said she felt that based on experience of complaints, it was pointless to report abuse, as she believed her concerns were not taken seriously: "I think that all of us have always denounced at some point, we have complained, and most of the time nothing happens. And if it does, then…you go round and round and round…when

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[22] See: Privacy International's Submission to the UN Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, Input for the thematic report titled "Digital innovation, technologies and the right to health", November 2022. Available at: https://privacyinternational.org/sites/default/files/2022-12/Privacy%20International%20-%20Submission%20to%20UNSR%20on%20right%20to%20health%20-%20Digital%20innovation%2C%20technologies%20and%20the%20right%20to%20health%2C%20November%202022.pdf; Privacy International's submission for the High Commissioner for Human Rights' report on privacy in the digital age and discrimination, May 2025. Available at: https://privacyinternational.org/sites/default/files/2025-08/PI%20submission%20on%20privacy%20and%20discrimination%20final.pdf; Privacy International's submission for the UNSR on racism's thematic report on artificial intelligence (AI) and racial discrimination, March 2024. Available at: https://privacyinternational.org/sites/default/files/2024-05/PI%20submission%20on%20AI%20and%20racial%20discrimination%20to%20UNSR%20on%20racism%20on%20AI_March%202024.pdf; Joint submission in advance of the consideration of Kenya at the 77th session of the Committee on Economic, Social and Cultural Rights, January 2025. Available at: https://privacyinternational.org/sites/default/files/2025-02/PI%20Joint%20submission%20Kenya%20CESCR%2013%20Jan.pdf

[23] See: https://digitalhealthandrights.com/resource-library/research-report-towards-people-centered-digital-health-strategies-gender-equity-rights-and-inclusion/; https://digitalhealthfordevelopment.undp.org/about-the-hub/; https://health.bmz.de/studies/why-gender-matters-for-digital-health/; https://digitalhealthandrights.com/resource-library/putting-people-and-human-rights-first-in-digital-health-checklist/ & https://www.who.int/publications/i/item/9789240090705

[24] Ibid, n3, pg. 29.

[25] Ibid, n3, pg. 30.

reporting violence, when reporting abuse…many times you don't even report because you feel it is pointless."[26] Furthermore, some were reluctant to report abuse to the police, either because they were not sure whether the abuse was illegal; or because of laws criminalizing sex work and same-sex sexual relations in their countries; or due to past experiences of police abuse.

19. DHRP's report contributes new evidence that should inform a more expansive and nuanced understanding of technology-facilitated abuse, as affecting not only women and girls (including transgender women), but also young men and transgender men with further reports of abuse from people living with HIV, and online and offline harms reported by gay men and other men who have sex with men, and by sex workers. It is important that when referring to gender-based definitions of tech-facilitated abuse that gender includes all gender identities in their diversity.

20. In addition, we note the concerning reports of targeted abuse affecting frontline HIV activists and peer outreach workers.[27] These individuals are key partners in the global HIV response, and their public service should earn them protection and support, not verbal abuse.

[26] Ibid, n3, pg. 33.
[27] Ibid, n3, pg. 31.