Submission for the Call for Inputs to the 2026 Thematic Report on Gender Equality, the Digital Space and the Age of Artificial Intelligence

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Founded in 2009, Global Action for Trans Equality (GATE) is an international advocacy and expert organization dedicated to promoting the rights of individuals with diverse gender identities and expressions. GATE works towards justice and equality for trans and gender diverse communities at the global level. Rooted in our movements, we collaborate with international, regional and national strategic partners to ensure access to resources, knowledge, and decision-making spaces.

Introduction

From facial recognition systems that force binary classification to AI-powered disinformation campaigns that fuel violence, AI systems can be the instruments of systemic discrimination against trans and gender diverse communities worldwide. With AI rapidly integrating into daily life and institutional decisions from healthcare and employment to security and social services, this submission demonstrates how the deployment of AI by various actors, including States, corporations, and anti-gender groups, poses a risk to increase gender-based violence and discrimination against trans and gender diverse communities. Instead of being neutral tools, AI systems can reinforce human biases and prejudices, turning social biases into technological discrimination. This occurs through mechanisms such as biometric surveillance, data algorithms, and AI-generated narratives and visual assets. Without intervention, AI will continue to be weaponized against trans and gender diverse communities. This intervention must center the voices and experiences of trans and gender diverse communities, mandate meaningful representation in AI development, establish accountability mechanisms for discriminatory practices, and recognize that the right to exist authentically in digital spaces is fundamental to human dignity.

1. The Digital Pipeline of Discrimination from Anti-Gender Movements to AI

GATE's Global Report on the Impact of Anti-Gender Opposition on trans and gender diverse as well as wider LGBTQI Movements (2023) revealed that one of the most common challenges faced by respondents is the systematic use of digital platforms by anti-gender actors to spread disinformation about trans and gender diverse communities worldwide. Social media platforms, such as Facebook and Twitter, which, in many cases, use AI tools for determining if the content goes against community guidelines, have become primary enablers where anti-gender actors deliberately disseminate misleading information targeting trans communities.

Anti-gender movements deploy narratives about "family values," "protecting children," or "preserving women's spaces," as rhetorical weapons aimed directly at trans people's existence, reaching broad audiences and facilitating both incitement to and violence against vulnerable communities. Despite the existence of community guidelines on social media, these platforms consistently fail to enforce their content moderation policies sufficiently. Although activists regularly report false and harmful posts by anti-gender groups, these reports are often overlooked, with the content remaining online (GATE, 2023, pp. 17-22).

As a result, the top three impacts identified by trans and gender diverse respondents include: 1. psycho-emotional stress among trans activists, which leads to widespread burnout; 2. the advocacy opportunities become severely limited as trans and gender diverse activists lose access to decision-makers influenced by anti-gender narratives, subsequently resulting in restricted funding for trans programs; 3. these factors cause a temporary pause or closure of trans and

gender diverse-led organizations, events, or vital services for trans and gender diverse individuals, such a healthcare, psychological support, and legal assistance (GATE, 2023).

As institutions increasingly rely on artificial intelligence systems using machine learning to make high-stakes decisions, such as determining social media posts that go against the community standards and access to medical care and employment opportunities (Stanford Social Innovation Review [SSIR], 2021), the connection between anti-gender-dominated discourse and biased AI systems becomes more apparent.

As the UNDP report warns, underrepresented gender minorities, such as non-binary people and persons of diverse SOGIESCs, experience significant harms through poorly designed and deployed AI systems (UNDP, 2024, p. 16). The UK's Technology-Facilitated Gender-Based Violence report (2023) reveals 73% of women journalists experiencing online violence and notes that trans people face disproportionate Technology-Facilitated Gender-Based Violence (UK Government, 2023).

1.1 Facial Recognition and Biometric Surveillance

The fundamental problem is that AI systems inherit human prejudices' binary gender assumptions. When gender classification systems collapse gender into simplistic male-female categories, they eliminate any potential for AI to reflect gender fluidity and self-held gender identity (SSIR, 2021). As Forbes (2021) notes, defining queerness is inherently impossible for AI systems that rely on commercial data stacks existing within frameworks that fail to recognize fluid gender identities. This structural failure means AI systems cannot adequately serve LGBTQ populations, creating what amounts to algorithmic discrimination by design.

The erasure of trans identities in AI systems goes beyond algorithmic exclusion; it represents a form of real-world discrimination that affects every aspect of trans people's lives. McAra-Hunter (2024) reveals that AI systems in employment screening and credit assessments may inadvertently discriminate against queer applicants due to biased training data.

One of the key demonstrations of AI-powered discrimination faced by trans identities is biometric surveillance systems, which demonstrate concrete harms against trans people through active gender policing and forced binary classification. Gender Shades research found facial recognition achieved 98.3% accuracy for cisgender women, 97.6% for cisgender men, but trans men were wrongly identified as women 38% of the time. Agender, genderqueer, or nonbinary individuals faced 100% mischaracterization (University of Colorado, 2019; Gender Shades, 2018).

Furthermore, private companies deploy AI technologies in ways that pose a risk of excluding trans people from basic services and social participation. For instance, Uber's AI verification system repeatedly suspends trans drivers when their appearance changes during transition (CNBC, 2018). Airport security systems employ binary classification, which fails to capture the complexity of gender (Washington Post, 2021).

When these technical failures are used in national identification systems, they can become tools of State-enabled exclusion, making it impossible for trans people to get basic civil recognition or protection. This impact is particularly compounded for trans and gender diverse persons, as the technology often fails to match their current appearance with older identification photos, leading to misidentification, exclusion, and further stigmatization (The Swaddle, 2021).

In India, the National Portal for Transgender Persons has begun issuing certificates and identity cards for trans individuals. However, a Scroll's 2022 report found that only 9,064 people have applied, compared to nearly 500,000 trans individuals recorded in the 2011 census. Applications face extensive delays, with wait times up to six months, and many are rejected (Bansal, 2022). Although the report's findings on applications for trans identity certificates are not directly related to the use of artificial intelligence, they underscore an important associated concern. If facial recognition technology (FRT) systems are used by government agencies to verify identity cards or photographs, trans and gender diverse individuals—whose appearance may evolve or differ from older ID photos—face a high risk of misidentification and exclusion due to mismatched facial features.

Similarly, Nepal's biometric digital identity system, the National Identity Card (NID), introduced in 2018, exemplifies exclusionary design. The system is inherently exclusive with binary gendered appearance and outfit requirements for "male" and "female" individuals, providing no clarity for individuals with "other" gender markers (ILGA Asia, 2025, p. 6).

Additionally, concerns also arise regarding the ethical dimensions of FRT research and deployment, particularly in how researchers and authorities conceptualize trans and gender diverse persons within these technologies. For example, the Hormone Replacement Therapy (HRT) Database's attempt to identify people "undergoing transition" created a layered gender binary of "pre-" and "post-transition," not acknowledging that transitioning is a complex and ongoing journey (The Swaddle, 2021).

The deployment of facial recognition in countries with high rates of anti-trans violence creates a particularly severe concern. Brazil has the highest trans murder rate, increasing 41% in 2020. The deployment of the SERPRO facial recognition system, which manages 76 million driver's licenses nationwide, raises concerns about digital discrimination based on gender. Survey data shows 90.5% of trans activists believe facial recognition operates transphobically, 95.2% believe it creates vulnerability to embarrassment, 76.2% believe it threatens privacy, and 66.7% disagree with widespread use (Privacy International, 2024).

Beyond State surveillance, the digital footprints of LGBTQIA+ individuals can also be utilized for surveillance and profiling, which increases the likelihood of sensitive information being leaked or misused, which can result in severe repercussions, such as harassment, violence, or outings. For example, the Clearview AI case in the US illustrates the global implications of unregulated facial recognition technology. The company scrapes billions of images from social media to build its facial recognition search engine (The New York Times, 2021). Clearview has secured patents for systems that would scan faces to determine if someone uses drugs, is homeless, or has a mental illness. The ACLU's lawsuit against Clearview highlights privacy violations affecting sex workers, abuse survivors, and undocumented individuals who are particularly vulnerable to surveillance-based discrimination (ACLU, 2021).

AI has been weaponized as a tool to exclude trans and gender diverse people from social spaces. The first trans-exclusionary lesbian application, Giggle for Girls, was started in 2019 by Sall Grover. The platform ceased operations in August 2022, with a membership totaling 20,000 individuals. Subsequently, the L Community app was developed and claimed 99.89% accuracy, excluding trans women by deploying "sex recognition software" to foster the "female-only" lesbian spaces (Washington Blade, 2024; The Guardian, 2022).

These examples warn about the potential for AGR deployment to become widely common in most human interactions. With the rise of anti-LGBTIQ+ laws across the globe and the deployment of biased AGR systems, it could potentially create a dystopian reality where trans people cannot exist in public spaces, from train stations, bathrooms, to changing rooms, prompting encounters where a member of the trans and gender diverse community would feel unsafe, humiliated, and exposed (Cato Institute, 2021).

2. Technology-Facilitated Gender-Based Violence Against TGD Communities

The weaponization of AI for politics represents a new frontier in anti-trans campaigns, where State actors and political movements use sophisticated technology to fuel discriminatory practices.

The 2024 US election saw unprecedented AI-generated disinformation attacking trans rights, with 70% of Republican ads featuring anti-trans messaging enhanced by AI imagery and deepfakes, creating false videos and synthetic "detransitioner" testimonies (PBS NewsHour, 2024). Recently, during Moldovan elections, Russian chatbots have been used to engage voters with personalized anti-trans narratives, targeting parents with false information about trans youth (Euronews, 2025).

LGBTI Consortium Ukraine (2024) warns that while AI systems already demonstrate bias against marginalized groups without Russian interference, the "Pravda" network uses the

technique of "LLM grooming"—injecting 3.6 million anti-LGBTI articles into training datasets. Content designed for AI, not humans, resulted in 33% of chatbot responses containing Russian disinformation narratives about 'traditional values" against LGBTI communities.

Following the mass shootings in the US, the exploitation of such tragedies through AI-generated false narratives about trans people as radical mass shooters represents one of the most harmful applications of these technologies. Reuters (2023) fact-checkers revealed that there have been widespread false narratives attempting to link trans identity with violence and mass shootings. The manipulation of tragic events through AI to falsely implicate trans people in violence demonstrates how technology amplifies moral panics.

The weaponization of AI to spread disinformation about trans people operates through multiple interconnected mechanisms, each reinforcing harmful narratives that endanger trans lives and rights.

Just Tech (2024) documented how anti-trans pseudo-science research dominates search results for gender-affirming care, particularly from the "American College of Pediatricians," an anti-LBGTQ+ group promoting conversion therapy. The Kaiser Family Foundation (2024) identified numerous false claims about gender-affirming care spreading through AI-enhanced distribution networks, including fabricated statistics about regret rates and invented risks of medical interventions.

In addition, the Cass Report's inclusion of AI-generated imagery of gender non-conforming children, confirmed by reverse image searches revealing Adobe Stock AI-generated images titled "Non-binary teen in school hallways," created false visual narratives that trans children don't really exist, influencing UK policy restricting trans youth healthcare (PinkNews, 2024).

Another key example of AI-generated misinformation is the phenomenon of "transvestigations," which demonstrates how AI tools are weaponized to spread trans hate speech. There has been the use of AI tools to falsely claim that cis(gender) public figures are trans. High-profile cases include targeting Brigitte Macron, France's First Lady, with AI-altered images depicting her as a young man (Reuters, 2024). Similar campaigns have targeted Michelle Obama, with manipulated photos spreading across social media platforms (Yahoo News, 2024). These attacks serve discriminatory purposes, implying that being trans is inherently deceptive or shameful, while simultaneously attempting to delegitimize powerful women through false association with a marginalized identity.

3. Pathways to Gender-Inclusive AI and Digital Space Governance

The evidence presented in this submission demonstrates that artificial intelligence systems are not neutral technologies but can be active amplifiers of prejudice and the human-assumed gender binary, which results in discrimination against trans and gender diverse communities.

Breaking this cycle requires addressing both the structural inequalities that exclude gender diverse people from technology development and the specific mechanisms through which AI perpetuates discrimination.

The UNDP report (2024, pp. 57-58) identified a lack of gender-sensitive training for GenAI developers as a critical factor. Due to insufficient collaboration between developers and researchers, combined with low numbers of women and trans and gender diverse people in the AI workforce, GenAI models lack diversity in design. When those experiencing digital exclusion are absent from training datasets, AI systems learn to optimize for privileged populations while further marginalizing those already facing discrimination.

There are attempts to address the issues of AI technical errors and biometric surveillance that harm marginalized communities. For example, the EU regulation addresses these issues through the AI Act, which prohibits biometric categorization that infers sexual orientation or gender identity and acknowledges the challenges trans people face in AI interactions (EU AI Act, 2023).

Recommendations

Member States should:
- Support the adoption of international & national regulations ensuring that AI systems align with human rights frameworks and do not facilitate the perpetuation of discrimination based on gender identity and expression.
- Support the Integration of SOGIESC-inclusive safeguards into all AI governance frameworks, including privacy protections, non-discrimination principles, and human rights due diligence obligations.
- Mandate human rights impact assessments for all AI systems used in public administration, law enforcement, and social services, with explicit evaluation of their impact on trans and gender diverse persons.
- Require social media companies to conduct regular, independent audits of content moderation systems to ensure that AI tools do not systematically silence or penalize trans users.
- Develop regulatory frameworks requiring transparency in political advertising, prohibiting the use of AI-generated disinformation or deepfakes that target marginalized groups.
- Support digital literacy and counter-disinformation initiatives led by trans organizations to equip communities with tools to identify and respond to AI-generated false content.
- Guarantee trans representation in all decision-making processes related to AI governance, ethics, and regulation.
- Provide financial and technical support to trans-led organizations to engage in digital rights advocacy, research, and policy monitoring.
- Protect online anonymity and data privacy as essential to the safety of trans and gender

diverse individuals, particularly in hostile legal environments.

AI Companies and Social Media Platforms should:
- Include self-determined and non-binary gender options in all AI-based identification and verification tools and ensure public and private developers adopt gender-inclusive datasets, avoiding training data that enforces binary gender assumptions.
- Ensure transparency in algorithmic decision-making, including disclosure of data sources, design processes, and error rates disaggregated by gender identity and expression.

The Working Group on discrimination against women and girls should:
- Encourage States and tech companies to collaborate with fact-checking networks and trans-led organizations to monitor and debunk anti-trans disinformation campaigns.
- Encourage UN bodies (e.g., OHCHR, UN Women, UNESCO, ITU) to adopt a joint framework on AI and gender diversity, emphasizing the protection of trans and gender diverse persons.

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