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## Economic Commission for Europe

Steering Committee on Trade Capacity and Standards

### Working Party on Regulatory Cooperation and Standardization Policies (WP.6)

#### Thirty-third session

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Item 7 of the provisional agenda

#### Team of Specialists on Gender-Responsive Standards

## Gender and salutation code lists

### Submitted by the subgroup Chair\*

#### *Summary*

Capturing gender segregated data is one of the key elements of moving towards gender inclusiveness; it is not possible to count what has not been captured. This document sets out clear definitions of what information could potentially be captured and provides guidance on how and why such data collection is done.

The information in the annexes is intended to be brought over to electronic data communication code lists so that the information can also be used more widely.

#### *Mandate:*

The thirty-second session of the Working Party on Regulatory Cooperation and Standardization Policies (WP.6) took note of the proposed theme of the Economic Commission for Europe (ECE) seventieth session (digital and green transformation for sustainable development in the ECE region) and the links that this theme can have with the core activities of the Working Party. A suggestion on code lists for salutations and gender for future integration into electronic messages such as those maintained by the United Nations Centre for Trade Facilitation and Electronic Business was put forward (ECE/CTCS/WP.6/2022/2, paragraph 66).

The WP.6 Programme of work for 2023, foresees: “In the area of gender-responsive standardization, WP.6 plans to conduct the following activities: (...) Act as a focal point for information-sharing, collaboration and developing relevant solutions such as national gender action plans” (ECE/CTCS/2022/12, paragraph 16e).

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\* This document is submitted under the responsibility of the subgroup Chair and has not been subject to a substantive clearance procedure through the Economic Cooperation and Trade Division Director. This document has not been edited by a professional editor.



*Proposed decision*

“The Working Party adopts the *Gender and salutation code list* document and encourages the secretariat to disseminate this work to relevant standards development organization and to work with the United Nations Centre for Trade Facilitation and Electronic Business in order to propose this content within electronic data exchange.”

## I. Introduction

1. The gender-responsive standards work of ECE WP.6 has been raising awareness of how gender considerations are often lacking in standards and can have a negative impact – often unintentionally – on women and girls. Gender is a social construct which is not solely defined by biology. With this understanding, there are a number of minorities, notably of the lesbian, gay, bisexual, transgender, intersex, queer, plus (LGBTIQ+) community who may also experience negative impacts of traditional standards.
2. In response to the theme of the ECE’s seventieth session (digital and green transformation for sustainable development in the ECE region), the Team of Specialists on Gender-Responsive Standards (ToS-GRS) has identified a gap within administrative and commercial forms which people are asked to fill out, and which require the disclosure of one’s gender identity, sex, and/or salutation. In most of those, the options given are often limited to man or woman, male or female, which does not reflect the diversity that exists in society today.
3. While the ToS-GRS believe that an inclusive society should avoid exclusionary social patterns, such as gender-based salutations and/or professional/educational titles, the ToS-GRS also acknowledge that different cultures, organizations, and societies will have different language needs. The present document seeks to close the gap between current practices and provide code lists which seek to be more inclusive based on gender (e.g., going beyond the current restrictive designations of man, woman and other, or non-binary) through the development of standardized lists for drop-down menus or check box options for those forms, which will also allow for more precise records of gender and sex.
4. Sex usually refers to one’s biological attributes which includes a combination of hormones, chromosomes, physiology, and anatomy.<sup>1</sup> Whereas gender is a social construct, referring to the socially constructed roles, behaviours, and actions an individual adopts, which may or may not be related to sex.
5. The standardized lists will be created as code lists for electronic data exchange. Code lists are created to ensure uniform representation of a definition in the exchange of information. They are used to standardize a term, reducing the time required to record and format the information and improve accuracy in the exchange of information. Currently, the only standardized list for such topic is the International Organization of Standardization (ISO), ISO/IEC 5218, which only covers the representation of human sexes and is not freely available.
6. Thus, this document proposes to identify the possible entries that could be proposed for sex, for salutations and for gender identity, through the development of three separate code lists and corresponding definitions for each option under the three categories. The ToS-GRS also proposes the development of one glossary list with other possible identifications to assist in understanding the responses in forms, electronic data communication, and for data analysis purposes. This document can also be used as a reference on the topic as it seeks to provide guidance and solutions on how to request information about an individual’s gender identity and assigned sex at birth, as well as guidance on information collection purpose and usage.
7. The ToS-GRS have divided the lists to reflect the distinction between sex and gender, which is at the basis for the following code lists.
8. Within the programming related to gender equality, LGBTIQ+ issues are often included. However, sexual orientation and gender identity are two separate concepts and two different aspects of human identity. Thus, sexual orientation is not covered by the scope of this document.
9. An important consideration to be made here is that, whenever an organization requires any type of information related to one’s gender or sex, they must ensure the individual’s privacy and should clearly state the purpose of the data collection such as details on storage,

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<sup>1</sup> The ToS-GRS has made clear the difference between sex assigned at birth and sex under the section II – Code list for Sex.

use and purpose of collection. Organizations requesting such information must also allow for individuals not to disclose this information if they do not feel comfortable in doing so. The ToS-GRS encourage the use of any applicable legal framework on the collection, handling and storage of a person's data, including the United Nations Human Rights Office of the High Commissioner *Guidance on a Human Rights-Based Approach to Data*,<sup>2</sup> or any other national, regional and/or international regulation.

## II. Code list for sex

10. ISO defines in its code list ISO/IEC 5218 “Codes for the representation of human sexes”. The code list is a for-pay standard, and thus not publicly available. The list may no longer reflect today's society.

11. An individual's sex may be defined by one's assigned sex at birth and/or one's biological attributes which includes a combination of hormones, chromosomes, physiology, and anatomy. Keeping in mind current terminology issues<sup>3</sup> and highlighting the importance of intersectionality when talking about one's sex and physiology/anatomy, the ToS-GRS has identified three main categories of sex information:

(a) Sex in legal documents: on legal identity documents such as passports, identification cards, birth certificates there's a field to indicate one's sex. This is usually a reflection of an individual's sex assigned at birth and refers to the physical characteristics and external anatomy of an individual not taking into consideration all possible DNA differences. That said, most people are assigned male or female, although there are increasing practices that are more inclusive and bring additional options other than the binary spectrum.

(b) Sex: an individual's sex might be required because it has direct implications on the provision of adequate health and safety measures. In those cases, it usually refers to an individual's unique combination of chromosomes, hormones, DNA, genetic code received from birth and/or modified through life due to genetic changes, modifications, or hormone replacement. For the majority of cases an individual's sex can be defined as male, female, or intersex.

(c) Anatomy: for health, protection, and safety equipment and/or systems, one's anatomy might play an important role, and in those instances an individual's sex might be required.

12. As mentioned on the paragraphs above, it is discouraged to ask about sex except in circumstances where an understanding of anatomy/biological differences need to be understood to provide equal treatment and outcomes (e.g., healthcare, physical safety, and standards in these related fields). It is also not advised to impose a sex on an individual, assigning them a sex without their consent (particularly those which are not male/female) unless the individual or their legal guardian so requests. See annex I

13. Annex I, includes both binary options as well as X and intersex. Thus, this document provides some guidance on how and when to include those options on forms. Intersex should be included on request forms when referring to sex for health and medical reasons. This provides a more inclusive approach without possibly increasing already existent stigma.

(a) Organizations are encouraged to include “X” in their forms to be more inclusive. The option “X” provides a category for people who are non-binary, or who do not define themselves in terms of the binary categories of female and male.

(b) There are individuals who will not wish to respond to any of these options, thus it is suggested that “prefer not to say” option be included on the list.

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<sup>2</sup> <https://www.ohchr.org/sites/default/files/Documents/Issues/HRIndicators/GuidanceNoteonApproachtData.pdf>

<sup>3</sup> Current terminology issues include the definition of sex and gender and the differentiation between the two terms, as well as the challenges with defining sex solely based on chromosome differences.

(c) The use of options like “other” or “not applicable” are discouraged as they are deemed to be offensive and exclusionary to individuals who do not fit the binary notions of male/female. Those options generalize and may heighten the perception and feeling of non-belonging and/or otherness that those individuals already face.

### III. Code list for salutations

14. At the time of writing, there is no international code list for salutations. Salutations are a social construct and can evolve with time. They are used in conjunction with either an individual’s family name or an individual’s full name.

15. A common practice is to use salutations as a proxy to collect gender disaggregated data, using individual’s salutations to identify and understand gender representation, which might be misleading and inaccurate. Thus, organizations are strongly discouraged to use salutations as a proxy to gender identity.

16. The use of collective salutation for individuals who have joint accounts and/or live together (e.g., Mr. & Mrs. Martin Smith) are also strongly discouraged. This type of joint salutation follows the heteronormative salutation which is exclusionary as it makes women’s identity invisible and presupposes the heterosexuality of a person/relationship.

17. As stated in the introduction, it is encouraged to discontinue the use of salutations and to instead use the individual’s full name, whenever possible. Salutations can be exclusionary because they can identify one’s gender, but also social and economic status. For correspondences, working towards a more inclusive society, it is suggested to avoid gender-based salutations such as Ms., Mr., Sir, Madam, and others, substituting salutations by their full name, or a general greeting (e.g., hello, bonjour, hola), without gender-based salutations. Nonetheless, there are cultural differences which might require salutations, and some languages use salutations as a formal address and/or a sign of respect. The annex II table 1 therefore aims to ensure the options available are inclusive. There are individuals who prefer not to use a salutation, so an option “no salutation” should be available.

18. In English, some salutations come with socially charged meanings and can be derogatory. The use of “Miss” (referring to a young, unwed women) can have pejorative connotations which does not have a masculine equivalent, therefore creating a discrimination. Likewise, the use of “Mrs.” (referring to a woman who is married) and “Ms.” (referring to a woman who is either divorced or of a certain age and not married) do not have a masculine equivalent and can therefore create a discrimination. The use of Mr. is currently used to address a man, but derived from the term Mister, which is no longer in use due to its socially charged meaning. The salutation “Ms.” has evolved, now replacing both (referring to any woman), see annex II, table 2.

### IV. Code list for gender

19. Gender is a continually evolving social construct codifying expected behaviours, social and cultural norms used to define and describe roles and expressions of individuals in a society, often reduced to concepts of femininity and masculinity (i.e. what it means to be a man and/or a woman) and not addressing the full spectrum. This approach is often linked to the binary view of sex (female – male), from which people make assumptions about gender and it varies from one society to another, but also based on cultural, economic and historical contexts. Gender identity refers to each person’s internal and individual experience of gender.

20. As stated in the introduction, the ToS-GRS encourage organizations to clearly define the purpose for which an individual’s gender is being asked, as well as how the data will be stored, and the steps taken to ensure the individual’s privacy. Gender identity forms might not be enough for some diversity and inclusion study collection (e.g., measuring diversity and inclusion, gender equality and representation, developing programs for the promotion of inclusion, etc), and thus organizations are encouraged to have a clear objective defined, and be mindful and respectful when using this information for studies and research.

21. In an attempt to reflect today's society and keeping in mind the needs and shortcomings of a code list for data exchange, annex III is proposed. The table may not cover an individual's personal sense of gender identity, so a free text field option would be the most inclusive option.

22. Individuals from indigenous communities have gender definitions that have communal meaning to them and go beyond the western gender spectrum. This is reflected in annex III. People who aren't members of the cultures and ethnic groups in question are discouraged from calling themselves by any of the indigenous gender-variant identities.

## Annex I: Sex

### Proposed entries for sex

<i>Code<sup>1</sup></i>	<i>Entry</i>	<i>Explanation</i>
1	Male	An individual who has the physiological features, including X and Y chromosomes, gene expression, hormone levels and function, gonads, and reproductive/sexual male anatomy
2	Female	An individual who has the physiological features, including X and X chromosomes, gene expression, hormone levels and function, gonads, and reproductive/sexual female anatomy
3	Intersex	An individual having innate different sex traits, such as chromosomes, gonads, or genitals, that fall outside of the typical male/female binary and/or have male and female sex traits.
4	X	A category for non-binary individuals, gender non-conforming individuals, and other persons who do not wish to define themselves in terms of binary sex categories.
9	Prefer not to say	When an individual does not wish to disclose their sex.

<sup>1</sup> ISO/IEC 5218 *Information technology — Codes for the representation of human sexes* already has a classification. The ToS-GRS are following some of their coding and requesting code 0 and code 9 be abandoned and substituted by our proposal.

## Annex II: Salutations

**Table 1: Proposed entries for salutations**

<i>Code</i>	<i>Entry</i>	<i>Explanation</i>
10	Mr.	Common salutation to address/refer to a man.
20	Ms.	Common salutation to address/refer to a woman.
30	Mx.	A gender-neutral alternative to the titles Mr. and Ms.
31	Ind.	Shortened form of “individual”.
00	No salutation	For those who do not wish any salutation to be used.
99	Prefer not to say	For those who prefer not to disclose their preferred salutation.
90	None of the above. Specify	(free text)

**Table 2: List of entries of salutation proposed to be discontinued**

<i>Entry</i>	<i>Explanation</i>
Miss	It is advised to not use this salutation. It refers to a woman less than 30 years of age and not yet married. Using this term is insisting upon the young age of the individual; there is no masculine equivalent.
Mrs.	It is advised to not use this salutation. Mrs. is derived from the title “mistress”. It refers to a woman who is married or widowed. There is no masculine equivalent.

**Table 3: Glossary list of possible entries of salutations**

<i>Entry</i>	<i>Explanation</i>
Div.	Shortened form of “individual.”
Fren.	Shortened form of “friend.”
M.	Shortened, gender-neutral form of “Mr.” / “Ms.” (without the second letter).  In an international context, it is unadvised to use this as it may be confused with the masculine version, in French of “Mr.”
Mir	Combination of “Miss” and “Mr.” or combination of “Madame” and “Sir”.
Nb	Acronym for “nonbinary”, pronounced “en-bee.”
Pr	Abbreviation for “person”. Pronounced “per.”
Prof.	Abbreviation for Professor, which is used to determine an academic rank and/or educational professional designation.
Dr.	Abbreviation for Doctor. Designation used for an individual who has obtained a doctorate. In many societies it also used to refer to a medical practitioner even if they do not hold a doctoral degree.



## Annex III: Gender

### Inclusive list of possible entries for gender (not exhaustive)

<i>Code</i>	<i>Entry</i>	<i>Explanation</i>
11	Man	An individual who defines themselves and lives as a male.
21	Woman	An individual who defines themselves and lives as a female.
12	Transgender man	An individual who defines themselves and lives as a male, who was assigned female at birth.
22	Transgender woman	An individual who defines themselves and lives as a female, who was assigned as male at birth.
13	Cis man	An individual who defines themselves and lives as a male, who was assigned male at birth.
23	Cis woman	An individual who defines themselves and lives as a female, who was assigned female at birth.
31	Non-binary	An individual who defines themselves outside the binary of man or woman, and which may include various identities located at any point on the gender spectrum.
32	Gender fluid	An individual who does not have a fixed gender, and whose gender moves between different points on the gender spectrum.
33	Gender non-conforming	An individual who does not conform with the gender roles/norms/behaviours/expression expected from a given gender in a given society.
34	Agender / Gender neutral	An individual who does not identify with any gender.
35	Gender queer	“Genderqueer individuals typically reject notions of static categories of gender and embrace a fluidity of gender identity and often, though not always, sexual orientation. People who identify as "genderqueer" may see themselves as being both male and female, neither male nor female or as falling completely outside these categories.” <sup>1</sup>
50	Indigenous gender-variant identities	Individuals from indigenous communities who define themselves in a range of identities on the gender continuum outside the western binary approach to gender. They often define their gender from a spiritual perspective and are seen/see themselves as being able to cross freely between male and female, or to exist in a state that is in between, or neither.
51	Two-spirit	A term used by indigenous peoples, part of the traditional knowledge of Canada/Turtle Island/North America to describe individuals who are gender fluid and/or do not conform with one specific gender. Two-spirit is also used to refer to the 2SLGBTQ+ community, as indigenous peoples reclaim their ancestral ways of respecting individuals who do not define themselves within the gender social construct of man and woman.
99	Prefer not to say	For individuals who prefer not to answer what is their gender
00	None of the above	For individuals who do not define themselves as any of the available options.

Source: Much of the information in this table was initially taken from: <https://www.ohrc.on.ca/en/policy-preventing-discrimination-because-gender-identity-and-gender-expression/appendix-b-glossary-understanding-gender-identity-and-expression>

<sup>1</sup> From <https://www.hrc.org/resources/glossary-of-terms>