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Outcomes of the in-depth reviews carried out by the Bureau of the Conference of European Statisticians**In-depth review of measuring gender identity****Note by Canada and the United Kingdom***Summary*

The document is an updated version of the in-depth review paper on measuring gender identity that the Bureau of the Conference of European Statisticians discussed in February 2019.

This in-depth review examines different approaches to statistical measurement of gender identity being undertaken so far, including the context and rationale, identifies issues and challenges, and provides some recommendations for the way forward. The last section summarises the discussion and decision by the Bureau in February 2019.



I. Introduction

1. The Bureau of the Conference of European Statisticians (CES) regularly reviews selected statistical areas in depth. The aim of the reviews is to improve coordination of statistical activities in the UNECE region, identify gaps or duplication of work, and address emerging issues. The reviews focus on strategic issues and highlight concerns of statistical offices of both a conceptual and a coordinating nature.
2. The CES Bureau selected “Measuring gender identity” for an in-depth review at its February 2018 meeting in Helsinki, Finland. The Office for National Statistics of the United Kingdom (ONS)¹ and Statistics Canada (STC) were requested to prepare the paper providing the main basis for the review.
3. An in-depth review will typically do the following: summarize the international statistical activities in the selected area; identify issues and problems; and make recommendations for possible follow-up actions. The current review attempts to do all this for the topic of measuring gender identity. However, the newness of this statistical area has to be recognized at the outset. This is still a developing area: it is too early to make many firm recommendations. Instead, we try to illustrate the different approaches being undertaken so far, including the context and rationale where possible. It is hoped that national statistical offices (NSOs) will benefit from this early insight on the work being done in some countries at this time.
4. In addition, appendix I “Current country practices in the measurement of gender identity” provides summary information on a large number of countries that have either begun activities in measuring gender identity or are looking to do so. The authors gratefully acknowledge the contributions of these NSOs to the review.

II. Scope/definition of the statistical area covered

5. Sex and gender are becoming increasingly recognized by people in more and more countries as having both separate dimensions and a range of possibilities. The transgender population, plus advocates and researchers in the fields of health and human rights, have been raising social awareness about transgender for some time. Awareness and acceptance has been growing² along with the increasing acceptance of gay rights, although this is not the same thing.³ Meanwhile, the concept of non-binary gender or genderqueer individuals is also becoming better known, although it likely involves a much smaller percentage of the population than the full transgender population. (See “Concepts and definitions” for a brief explanation of terms as they are used in this review).
6. Many cultures have long recognized and accepted a degree of diversity among themselves that Western societies as a whole have not. They may have specific terms for this, and in some countries there is even recognition of traditional groups in data collection, such as the Hijras of India. Other examples are the Fa’afafine of Samoa, and ‘two-spirit’ indigenous North Americans. This shows that there has long been greater complexity in the area of gender identity than the male-female binary distinction would suggest.
7. Apart from a few references to terms in other languages (refer to section D “Language”), the perspective provided in this paper is currently limited to the English language, including research published in English.

¹ Population statistics are a devolved matter in the United Kingdom; therefore, the ONS work referenced in this review refers to England and Wales. Scotland and Northern Ireland have developed their own approaches to measuring gender identity.

² Despite growing acceptance, some transgender individuals and groups are still fearful that persecution might result from the attention brought by official statistics on the topic.

³ The topics of sexual orientation and transgender are regularly combined under the label of LGBT, where “LGB” stands for lesbian, gay and bisexual. The “T” for transgender is sometimes followed by queer (Q), two-spirited (2) or intersex (I). Social orientation and gender identity are also sometimes referred to using the acronym SOGI.

A. Concepts and definitions

8. This section is an attempt by the authors to summarize some of the observations we have made in the literature that we reviewed and to show how we are using the terms in this document. It is beyond the scope of the review at this time to make recommendations regarding concepts and definitions.

9. In English, the word “gender” is often used as an alternative to the word “sex”, the latter being reserved for biological characteristics. In everyday usage, however, the two words are often used interchangeably, unless the distinction is clear from the context. “Gender-based analysis” is a term currently used for statistical comparisons of the socio-economic characteristics of men and women.

10. The literature tends to define “gender identity” as the inwardly-felt aspect of being male, female, or not entirely one or the other, all of which may be different from one’s sex at birth. The terms “gender expression” or “lived gender” are less common but are defined as referring to the outward expression of one’s gender, regardless of how that person feels. In more general practice, however, the term gender identity is used to mean gender identity and expression, without distinction.

11. The phrase “non-binary gender” is becoming increasingly used to refer to people who would say their gender is not just male or female, nor man or woman. But there are many other generic or specific terms for this being used by trans individuals if not by the wider public, including the terms “genderqueer” and “gender fluid”. “Gender fluid” may refer to the changing or alternating nature of a person’s gender.

12. In most research literature, “transgender” or “trans” is defined as having a gender (identity or expression) that is different from the person’s sex as determined at birth. Note that the word “different” is used rather than the word “opposite”. In this sense, it includes all people with non-binary gender. The opposite of transgender is called “cisgender”.⁴

13. However, sometimes transgender seems to refer just to trans men and trans women, which is a better-known concept than non-binary gender and probably much more common. Note that a trans man has a gender (gender identity) of man/male, and similarly a trans woman has a gender of woman/female.

14. The terms “gender-diverse” and “intersex” are discussed in section IV “Standard classifications”.

15. As the subject of this paper, the topic of measuring gender identity encompasses both the characteristic of gender (male, female or any other gender) and the characteristic of being transgender (yes or no). The understanding here is that transgender is not a gender; however, the authors would like to point out that not all sources they reviewed were clear on this distinction.

B. Legal environment

16. The legal rights of trans people are not the same across Europe (European Agency for Fundamental Rights, 2015), or throughout the world (UN Office of the High Commissioner for Human Rights, 2016), and different political and legal situations have led to different approaches to collecting data on gender identity.

17. Interpretation of human rights law has been a driver of policy changes affecting official records, the collection of information on sex and efforts to collect data on the gender diverse population.

⁴ The authors of this review found that the literature did not clarify definitions of transgender and cisgender with respect to a person whose non-binary gender is simply a reflection of their intersex characteristics from birth.

18. To begin with, governments in quite a few countries have been making it possible for people to change their sex information from male to female or female to male on official identity records.

19. In addition, some governments are looking at ways to accommodate non-binary gender. In Canada, this followed a few human rights cases brought to the Canadian Human Rights Commission in 2016.

20. In Germany in 2017, the Federal Constitutional Court ruled that there should be a third category, or no categories, for gender on civil status documents. As a result, the Federal Statistics Office have begun exploring how to implement a new “category of sex”, deciding that an “other” category should be included.

21. However, not all countries developing data collection of the gender diverse population are changing the collection of sex. In England and Wales, sex and gender (terms which are generally used interchangeably) are binary in laws which refer to them. This influences data requirements. A major concern in developing a gender identity question was not to damage the information already collected through the “male” or “female” sex question, which is an essential variable that feeds into population projections, which underpin decision-making, planning and resource allocation across central and local government.

22. ONS also identified a need for data on gender identity in order to understand inequality, inform and monitor policy development, allocate resources and plan services for the transgender population. The introduction of the Equality Act 2010 further strengthens the user requirement for those with the protected characteristics of gender reassignment.

23. The ONS approach to measuring gender identity in the England and Wales census therefore aims to meet both user needs.

24. Interaction between the protected characteristics of sex and gender identity provokes a great deal of debate in the UK. ONS has found it vital to engage with stakeholders, aiming to understand objections as well as needs to ensure the acceptability of questions. Change to a survey is unlikely to attract as much attention as change to a census.

25. In many countries, administrative data sources such as vital statistics are made available to the statistical agency for the production of the census and other statistical outputs. Statistics Canada is using tax data as part of the census to replace questions on income. Statistics Canada has been working with the federal government to ensure the coordination of changes to data on sex between administrative programmes and statistical outputs.

26. Measurement of sex at birth continues to be useful in certain circumstances: health, fertility, sex-specific laws, whilst these still exist – for example, sex is still relevant for pension provision in the United Kingdom, although increasingly laws are changing.

C. Privacy regarding transgender

27. One complicating factor for measuring gender identity is that for some people who are transgender, privacy concerning their transgender status is of paramount importance.⁵ The issue of privacy has been influential in how the ONS is considering asking questions related to gender identity.

28. In the United Kingdom, Article 8 in the Human Rights Act (based on the European Convention on Human Rights) says this about privacy:

“Everyone has the right to respect for his private and family life, his home and his correspondence. There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-

⁵ Many transgender people can pass in public as their adopted gender expression of man or woman via their appearance and often voice as well, particularly if they accessed hormone treatments or have had surgery (which can include cosmetic surgery) that helped them to transition physically.

being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others.”

29. This does not necessarily prohibit asking a question about gender identity, but it does ensure that it is only done where the benefits of collecting the information outweigh the intrusion of privacy.

30. Rather than try to make this case, ONS intends to avoid engaging Article 8 at all. To take account of the possibility that the person completing the census form may not be aware of the gender identity of everyone in the household, ONS will offer the option to request an individual form to respond in private. This practice is already followed in Canada and Australia. This should help to address both privacy and quality concerns around proxy response. In addition, the new question on gender identity will be voluntary. That is, nobody will need to disclose their gender identity if they don’t want to. The UK government and UK Statistics Authority are considering the appropriate mechanism to ensure this is the case, should that be through a voluntary label on the question or a Prefer Not to Say (PNTS) response option. More about ONS question design is covered in section III “Question design and testing”.

D. Language

31. One of the major social issues to consider when collecting information on gender identity is language. In some societies, there could be specific minority groups that have been recognized historically, with terms in their language to refer to them. In some languages (Greek for example), the language is based on a binary sex framework where terms differ depending on whether a man or woman is speaking, or whether a man or woman is being spoken to. And some languages, ONS found when translating the gender questions, do not have different words for sex and gender (German, Dutch, Romanian, Greek; possibly others). For example, in Germany’s official statistics *Geschlecht* does not explicitly follow a biological or social concept. In Romanian, the word *gen* for gender also means species and sex—and so *identitate sexuala* is used for both gender identity and sexual identity.

32. In languages where the concept of gender is not well established, it is unlikely that one standard question could be directly translated. Language issues might be rectified with definitions and guidance, online or via an interviewer. Different languages might require differently-nuanced translations. Question testing is recommended to ensure respondents understand what is being asked. Such testing would probably need to be repeated on a recurring basis as public understandings evolve. Understanding of terminology might also differ among different social and demographic groups and may have regional variation across a country.

III. Question design and testing

A. Brief review of prior research and implementation

33. What follows is a very brief summary of some research, reviews and testing initiatives for identifying, defining and measuring gender identity and the transgender population. Two extensive reviews are: the 2009 *Trans research review* of the Equality and Human Rights Commission (EHRC) of the United Kingdom; and a report by the Williams Institute of University of California in Los Angeles in 2014 (specifically the GenIUSS Group), called *Best Practices for Asking Questions to Identify Transgender and Other Gender Minority Respondents on Population-Based Surveys*.

34. Most of the implementation of expanded questions to include the transgender population has to date occurred in health surveys that ask questions (often about sexual orientation as well) directly to the intended respondents, that is, without proxy response. In the United States, there are seven federal surveys that ask about gender identity in a health-

related or similarly focused context, where the word “transgender” is used in either the question itself or the response categories.

35. Among the literature reviewed for this paper, the most widely quoted survey for its results of the transgender population was the Behavioral Risk Factor Surveillance System (BRFSS) in the United States. In the module about the health status and healthcare experiences of transgender respondents, used by 19 states in 2014, it asked, “Do you consider yourself to be transgender?” Among about 150,000 respondents aged 18 or older who answered the question in 2014 (after slightly more than 50 per cent non-response), 0.52 per cent identified as transgender. This result was extrapolated to 0.6 per cent for the American adult population (Flores, Herman, Gates, & Brown, 2016).

36. The authors of a report on another survey, the California Health Interview Survey of 2015-2016, claimed that this was the only state-level representative survey in the United States to include a two-step approach to identify transgender and cisgender respondents (Herman, Wilson, & Becker, 2017). It asked a question on sex at birth and another asked “Do you currently describe yourself as male, female or transgender?” Among respondents aged 18 to 70, 0.35 per cent were identified as transgender from the two questions, including about 40 per cent who responded just “male” or “female” to the second question. This is a survey among about 20,000 households, with an unweighted count of just 85 transgender individuals. The authors pointed out that confidence intervals do not make this result significantly different from the BRFSS of 2014.

37. Some surveys on the transgender population have used methods other than population-wide sampling, such as on-line awareness campaigns or networking, to find and survey a target population of transgender individuals. Such surveys have been conducted at least in the European Union in 2012 (European Agency for Fundamental Rights, 2013), in Nepal in 2013 (UNDP; Williams Institute, 2014) and in Thailand in 2016-2017 (World Bank, 2018). Community-based surveys and health surveys can ask more detailed questions, such as transition history and transition intentions, or attitudes and experiences of being transgender. This is partly due to their ability to survey people individually rather than in a household setting.

38. The national censuses of Nepal (2011), India (2011), and Pakistan (2017) went beyond the traditional male-and-female categories of sex, and in this way, they broke new ground for census taking.⁶ They used a question on sex that simply included a third multiple-choice category of “Third sex”, “Other”, or “Transsexual”. This may be better accepted in these countries. In places where most people do not have access to transgender-related surgery or hormone treatment, trans individuals who are not simply living in their natal gender may be inclined to live outwardly as transgender and describe their gender that way.

39. Research on expanded questions on sex and gender has been conducted quite intensively by national statistical offices (NSOs) in Australia, New Zealand, Canada, the United Kingdom and the United States. So far this has been done using one-on-one cognitive interviews among both trans and cisgender individuals and focus groups with trans individuals. Trans individuals were contacted through networking techniques.

40. Both Australia and Canada gained experience for processing an open-ended response category on sex or gender when they gave respondents slightly better options to answer a question on sex in their 2016 censuses. Canada gave instructions (not in the questionnaire itself) to leave the question on sex blank if it was inadequate and enter a comment at the end of the questionnaire. Australia provided an instruction in the electronic questionnaire to obtain a version of the questionnaire with an open-ended response option for sex. Australian Bureau of Statistics processed the 2016 answers and published the results, with the caveat that the final count was an underestimate of the transgender population due to the method used. The results are nonetheless valuable as research on measuring gender identity. A pilot study was also conducted in the census on a portion of respondents, to test changes with a

⁶ All three countries acknowledged some limitations ranging from the lack of availability on all questionnaires, lack of training among interviewers regarding the new question, and sensitivity of the question in an interviewer-led situation.

large portion of the population and gauge the acceptability of an alternative question in the general public (Australian Bureau of Statistics, 2018).

B. Different requirements for administrative data, surveys and censuses

41. Repeated cognitive testing carried out for health surveys in the past two decades has shown that many trans individuals would report their gender simply as “male” or “female” without using categories that refer to transgender status at all. The recommended solution has been to ask two questions, one that asks for sex at birth and another to obtain transgender status.⁷ Sex at birth and transgender status are both very important variables for health surveys.

42. If collection of transgender status is not a major objective, and the objective of modifying a question on sex is simply to allow non-binary gender individuals a way to answer truthfully about themselves, then a single question asking for gender with categories of male, female, and a third category such as “Another gender” does this. (A question should not, however, use “transgender” as the third category. The relative benefits of a fixed response option or open response are covered in a later section.)

43. A single three-category question on gender may work well in an administrative setting where errors on the part of the binary gender population – “false positives” in the third category – are less likely to occur. However, in a survey or census, normal response errors could have a large distortionary impact on the count of the small minority population represented by the third category.

44. A single three-category question on gender, rather than a two-question approach, could be used in surveys where the highest quality counts of the population by gender are not of critical importance. In the case of a national census, two questions are most likely necessary, even if transgender status is not a major objective, in order to provide enough assurance of the quality of the final distribution of gender. This is discussed further in the next section.

45. But regardless of whether two questions or only one question is asked, the inclusion of a question on gender with a third category is important to give respondents adequate response options. Social surveys with relatively small sample should consider this when developing their questionnaires – even if they do not expect to be able to release numbers for the non-binary population.

C. Examples of current testing for censuses

46. Statistics Canada is carrying out a large-scale quantitative test of new questions on sex at birth and gender identity in spring 2019 as part of its 2021 census preparation. The ONS, in preparation for the 2021 Census of England and Wales, is also preparing for large-scale testing of new questions. Details about both of these exercises are provided in this section. In addition, the Australian Bureau of Statistics plans to conduct qualitative and quantitative testing during 2019 for its 2021 census, and National Records of Scotland has conducted testing and proposes to include a voluntary question in its 2021 census.

47. A census is likely the only way to obtain a high-quality count of the transgender or non-binary gender population without significant distortion from sampling variability and non-response bias. Yet in a census, there are other objectives, such as to maintain the highest possible quality on data by men and women as a whole, irrespective of whether this represents sex or gender.

48. Both Statistics Canada and the ONS (England and Wales) are currently attempting to introduce census questions on sex and gender that would serve the multiple objectives of: reflecting all genders in the census (male, female and other genders), measuring the full

⁷ A two-step approach to measuring transgender has become widely recommended in the United States health research, particularly starting with Tate et al in 2012.

transgender population, and producing the same high quality of data by men and women as in the past. Both are therefore using a two-question approach.

49. However, there are some important differences. ONS is trying an approach that would avoid forcing respondents to reveal their transgender status to the agency. For Statistics Canada's test, the question "What is this person's gender?" will apply to everyone, and respondents will be asked to answer both sex at birth and gender on behalf of young children.

50. In both cases, the tests will use proxy reporting as in the census. It is important to note that when collecting data on gender through proxy responses, there could be extra challenges related to the sensitivity of the questions and the accuracy of responses. It is hoped that large quantitative tests will help to evaluate this to some degree, although it may still not be possible to do fully in a voluntary test setting. In fact, Statistics Canada has decided to conduct a mandatory test instead.

51. The full question sets are shown below.

Canada's 2021 census testing

52. Although the same questions will be part of the large-scale census test in April 2019, Statistics Canada has already had positive results from its cognitive testing and in 2018 started applying these questions in its household surveys.

- (a) What was this person's sex at birth?

Sex refers to sex assigned at birth.

- (i) Male
(ii) Female

- (b) What is this person's gender?

Refers to current gender which may be different from sex assigned at birth and may be different from what is indicated on legal documents.

- (i) Male
(ii) Female
(iii) Or please specify your gender

53. Note that short definitions are included, which respondents seemed to view favourably, if they read them; in some cases respondents saw these instructions as being very important for them to feel sure of what is being asked.

54. Initial qualitative testing by Statistics Canada showed that respondents preferred the term "gender" rather than "gender identity" as they felt it was less sensitive, especially when considering the proxy setting. It would be very difficult to ask a respondent how another member of their household feels with the intent of collecting their "felt gender" if this is not also the person's lived gender.

55. In the electronic questionnaire, in order to minimize the impact of errors on the part of the large cisgender majority which could be interpreted as part of the small transgender population, a follow-up validation question is included, "Please verify that the information is correct." This is shown if at least one person in the household provides answers to these questions that are not both "Male" and not both "Female". (In this case, the answers to both questions for all members of the household are displayed for verification by the respondent.)

ONS's 2021 census testing

56. The ONS is currently testing the addition of a gender identity question to follow the usual sex question.

57. In order to maintain or improve data quality ONS has recommended the wording of the sex question and available response options should remain the same ("What is your sex?" with the answer categories of "Male" and "Female"). There will be a guidance note on the sex question stating that a gender identity question will follow later.

58. There are two versions being tested for the gender question: “Is your gender the same as the sex you were registered at birth?” and “Do you consider yourself to be trans?” Both versions include a category called “Prefer not to say”.

(a) What is your sex?

NOTE: a question about gender will follow later if you are aged 16 or over.

Male

Female

(b) Is your gender the same as the sex you were registered at birth?

Yes

No, please write in gender

Prefer not to say

or

Do you consider yourself to be trans?

Here trans means your gender is different from the sex you were registered at birth.

No

Yes, write in gender

Prefer not to say

59. ONS anticipate that in all likelihood, some transgender people would be unwilling to disclose this in a government survey but have prioritized the need to know something about the population, and to offer an inclusive census. Meanwhile, it is hoped that responses to the question on sex would be unaffected, therefore preserving the time series.

60. Statistics Canada has stated, “In some surveys, the two-step approach may be used as a transition measure before transitioning to only the gender question, to mitigate the risk of introducing an approach that may impact historical trends” (Lachance, Mechanda, & Born, 2017).

61. Whether this can be successfully undertaken by statistical organizations in a census, which is generally mandatory and includes proxy response, is not yet known. Furthermore, methods may depend in part on the social and legal context of the country. At the very least, it is important to give special attention to respondent communications material. Interviewer training for interviewer-conducted surveys is also important. ONS found that, at least in qualitative testing, reassuring respondents that their privacy will be maintained improves response and increases public acceptability of questions. Statistical agencies also need to be ready to give the reasons why they have introduced a new concept in their surveys.

D. Advantages of an open response category for gender

62. Many non-binary individuals would prefer a better descriptor for themselves than “other gender”. Trans men and trans women would also find the response options limiting, if they want to report their gender of male or female but also their trans status.

63. A question about gender identity that uses an open-ended response for the third category where the respondent can answer how they want (either communicating that to the interviewer or writing it in a paper or electronic questionnaire) has the benefits of a simple presentation, while permitting more precision and self-expression for respondents. It was used in Australia’s alternative questionnaire for its 2016 Census, and Canada is now implementing it in its social surveys.

64. In New Zealand's document on a statistical standard for gender identity, the point is made that "it is preferable to have a question with write-in facility, to allow the respondent to fully describe their gender identity".

65. With an open-ended third category response, instead of having decisions about what gender categories to offer to the respondent in a multiple-choice question, terminology decisions have to be made in preparation for the processing stage. There, textual responses of all types have to be evaluated and grouped based on a coding dictionary of equivalent terms.

66. Since we are measuring a relatively small population, the impact of minor data collection errors, such as clicking a check-box by mistake, can have a major impact on the estimate. This is why we recommend that there should be the requirement that both a check-response and a valid entry be provided for the open-ended category of the gender question. In the three-category gender question, an answer where the respondent checks the third category but does not provide a valid textual response in the space provided should be treated as invalid and processed accordingly. However, to minimize these cases, a soft edit is recommended when using an electronic questionnaire to prompt the respondent to provide a written answer.

67. The research conducted so far in several countries indicates that an open-ended question on gender identity is promising for use with both the cisgender majority and transgender respondents. A question with several response options is another possibility, but probably not ideal for large population surveys. A few of the American health-related surveys offer detailed responses of: "Transgender, male-to-female", "Transgender, female-to-male" and "Transgender, gender non-conforming". These are relatively long labels, and any doubt and confusion on the part of cis respondents caused by the number of categories, their length, or the unfamiliar terms could lead to higher non-response or errors that would badly distort the counts of the small trans population.

IV. Standard classifications

68. To date, the NSOs of Canada (Statistics Canada, 2018), Australia (Australian Bureau of Statistics, 2016) and New Zealand (Stats New Zealand, 2015) have published standard classifications that update the concepts of sex and gender. Even in these countries, however, standards could be updated further within a short time. Australia is currently reviewing their standards and New Zealand will begin this process soon. Canada will also do so, if changes appear to be required. Meanwhile, the differences do show that concepts and terms in English are still in flux. The ONS Data Collection Methodology team has found that the terms are varied throughout different countries and even between organizations within a country.

69. For example, these classifications differ in their choice of umbrella terms for concepts of gender identity. The Australian Bureau of Statistics, when it released its new standard for sex and gender in 2016, stated: "The label "Other" is used in this standard's classifications to describe the third categories of both sex and gender because a more descriptive term has not been widely agreed within the general community."

70. "Gender diverse" is used in the classifications of both New Zealand and Canada. The term suggests inclusiveness and applies well in a statistical context to describe a sub-group of the population, even if it is not used regularly by individuals to describe themselves. However, "gender diverse" for New Zealand's standard includes trans men and trans women as well as non-binary gender, while Statistics Canada uses "transgender" as the umbrella term and "gender-diverse" specifically for the non-binary group.

71. These three NSOs also differ in the extent to which they show a clear breakdown by cisgender and transgender. Statistics Canada includes it explicitly, consistent with having started to implement a two-question approach (ask both sex at birth and gender) to obtain this

information in larger social surveys.⁸ New Zealand's classification is not clear as to whether it includes cisgender, but as mentioned above a further review is planned. The Australian Bureau of Statistics does not currently include transgender and cisgender in its classification.

72. As for the various ways in which individual people are describing their gender, they are of interest for the processing of an open-ended question on gender identity, but they do not need to be itemized in an output classification if only a single overarching category is expected to be published.

73. While adding new classifications for gender and transgender status, Statistics Canada has updated its standard on sex. It has kept "sex" as the short label, but now defines this as sex assigned at birth. This change is consistent with the intention to no longer ask for sex in surveys, as sex at birth and/or gender will be asked instead.

74. Some countries are considering what to do about those who are intersex at birth registration, including similar designations such as "unknown" or "undetermined". Medical literature and individual testimony show us there are many types and causes of ambiguous or intersex situations. An intersex designation may be applied to an individual only later in their life, if their puberty is greatly delayed and this leads to new information about their sex traits. In any case, it is not well known among the general population, which could affect data quality in a survey question if it were included. Statistics Canada has chosen to include intersex only in the classification "variant" for sex, and not in the main classification which is to be used for most social surveys. This is with the expectation that it may be needed in administrative programmes that collect health or demographic information. New Zealand recently included the topic of intersex in its public consultation on the National Health Index.

75. More time is needed to know what new standards for sex and gender would be useful in a range of countries, depending on how language on the topic evolves. This depends on developments in the public sphere. Meanwhile, international groups that have started to discuss the concepts include the UN Expert Group on International Statistical Classifications and the Standards Working Group of Eurostat.

V. Other considerations: Dissemination criteria

76. Having a third gender category in tables by gender will present some challenges to balance the different objectives of data publication and privacy protection. Firstly, the size of this population, which is expected to be very small, will make it subject to suppression in many tables by geography or other detailed characteristics. Secondly, the usual techniques for suppression or rounding of small cells may not work to prevent residual disclosure, given that there are only two other categories of gender, both of which are large. Special measures to prevent disclosure of individual respondents could therefore be necessary.

77. One possibility might be to continue producing the most detailed types of tables according to only two genders, male and female, while reserving other tables for displaying all three categories of gender. For the detailed tables, a strategy would be needed to assign the non-binary cases to either male or female specifically for this purpose (unless there is a "not reported" category with which to combine them). This needs to be done in a way that does not significantly affect the analytical results by men and women. While this strategy would limit the availability of non-binary gender for analysis in many tables, it might provide a realistic compromise considering the amount of meaningful analysis that can be done without distortion from small counts. A similar strategy could cover data for the transgender population, if also collected, where this population is compared with cisgender men and cisgender women. A careful communications plan would be necessary to explain these release strategies and restrictions to data users, both in a general way and possibly in individual tables as well.

⁸ Refer to the Canada section of the full version of the appendix to this review, available at <http://www.unece.org/statistics/working-paper-series-on-statistics.html>, for more information on the classification.

78. It is not certain whether the demographic methods used in some statistical organizations, such as cohort-component population estimates, population projections and internal migration estimates methods, could be produced with three gender categories, because these processes require robust data at small geographical levels.

79. Regardless of method, if input data sources move towards three categories of gender in a staggered fashion, as is likely to be the case, there would probably be some temporary misalignment of gender categories between sources. Although the impact could be small due to the small size of the non-binary population, it would need to be evaluated and accounted for during the transition period. It is one reason why both statistical organizations and other agencies of government that supply input data to the population estimates might want to work together, at least to communicate these changes even if they cannot be fully coordinated.

VI. Conclusions

80. At the time of writing, there is no example of an official national survey or census that has published high-quality data on gender that is inclusive of non-binary gender or that identifies all transgender. The newness of this area from a statistical point of view makes it difficult to draw concrete conclusions; instead we highlight some key considerations when thinking about whether and how to measure gender identity.

81. We conclude that wide-ranging engagement with data users, government departments, and transgender groups is essential to understand what is needed for appropriate measurement of gender identity. Questions need to be tested with the trans and cisgender population across a range of ages, including potential objectors, to achieve the best response to questions.

82. The standard classifications that currently exist differ in some key respects. Terminology and definitions applied by NSOs need to respect the complex nature of what is being measured. They need to be sensitive to the fact that public understanding is still limited in most places. The terms to describe this area are still very new and are likely to continue changing. Countries should not expect terminology to be consistently understood across a population, and in some languages the words to describe the issues in question are still developing or do not exist yet.

83. An essential consideration for how to introduce the measurement of non-binary gender is that it needs to be done while maintaining high quality data on men and women. Statistics Canada and ONS anticipate that the most accurate results for all genders, as required for a census, will be obtained by preceding a gender question with a question that asks for the person's sex or sex at birth, and they are working towards their 2021 censuses with that assumption.

84. Given the expected small sizes of the non-binary and transgender populations, any counts for them would be sensitive to errors on the part of the overwhelmingly larger cisgender population, if those are not corrected. Questionnaire design and data processing need to take this into account. Some possibilities of how to do this were provided above, but they should not be viewed as comprehensive because this was beyond the scope of the review at this time.

85. The approaches discussed in this paper are in most cases tentative, based on relatively little experience so far. Further insights might be drawn over the course of 2019 as a few NSOs conduct large-scale testing for censuses: ONS (for England and Wales), Statistics Canada and the Australian Bureau of Statistics, among others. There will be much more to say when countries move from design and testing to collection and dissemination.

VII. Recommendations

86. In light of the driving forces discussed in the foregoing sections of this document, it is likely that more countries will begin scoping the possibility of measuring gender identity in their surveys or including non-binary options in register data. In its role as a co-ordinating hub for international statistical activities in the region, it is recommended that UNECE should be tasked with monitoring developments in this area. In particular, the Secretariat, with the

assistance of designated experts from CES member countries, should develop and maintain a repository of documentation and NSO research that may be consulted by other countries wishing to begin work in this area. Member countries should be requested to provide any such information to the Secretariat (plans, questionnaires, results) so that this repository may be easily maintained.

87. The topic should be revisited when the focus countries of this report have completed data collection and dissemination.

VIII. Discussion and decision by the CES Bureau

88. The Bureau reviewed in-depth measurement of gender identity based on a paper by Canada and the United Kingdom. The Bureau raised the following issues:

- The topic is very important but sensitive and difficult both conceptually and statistically. The challenge is to collect data on a community which is very little understood. The community needs to be identified and categories defined, while the terms used by the community itself remain fluid. The topic is also statistically difficult because groups are small and false responses can create a large variance, particularly in self-completed questionnaires
- An important question is how to approach this issue in the upcoming 2020 census round. This is particularly challenging for countries with register-based censuses as gender identity is usually not captured in the registers
- The paper is related to a broader debate on diversity. For further work it may be useful to share experience with the statistical work on other minority groups and on sensitive topics like ethnicity and religion
- For further work it is necessary to look beyond the UNECE region. For example, among the most advanced countries in this area are India, Nepal and Pakistan. It is also important to engage closely with the communities with non-traditional gender identities
- The topic is evolving, and it is necessary to keep following the developments and sharing experiences in this area.

Conclusion

89. The Secretariat will consult with the Steering Group on Gender Statistics and the authors of the document and present a concrete proposal on further work in the next Bureau meeting.

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Appendix

Current country practices in the measurement of gender identity

1. This appendix summarizes the work that NSOs have undertaken and questions they have developed to collect gender identity information. It covers those countries whose NSOs already collect information on those who identify as other than male or female on their censuses, and/or social surveys, as well as those working towards potential gender identity data collection.

2. In the period up to December 2018, 39 countries⁹ were contacted and asked how they are approaching the measurement of sex and gender: 24 countries responded to the request in 2018. The 18 countries or territories that had work to report are summarized in Table 1. Full details of the country practices can be found in the complete version of this appendix in issue 5 of the *UNECE Working Paper Series on Statistics*¹⁰.

Table 1

Summary of country practices in measuring gender identity

Country	Summary of Data Collected
Australia	Collected data on those who identify as other than male or female in the 2016 Census. Introduced third sex and gender options to the national standards for sex and gender variables in 2016.
Canada	Introduced a gender identity question onto their social surveys in 2018. Published new standards for sex assigned at birth, and gender (which includes a gender diverse option) in April 2018. Collected data on those who identify as other than male or female in the 2016 Census.
Denmark	Collects legal sex through administrative data sources, which can be changed to reflect gender identity. There is currently no third sex option.
England and Wales	Currently collects binary sex data and does not collect gender identity data on any social surveys. Recently published plans to collect data on binary sex and gender identity in the 2021 census.
Finland	Collects legal sex through register-based data with no third sex option currently available.
Germany	Germany does not collect gender identity or third sex information data. The Federal Statistics Office is currently exploring how to introduce this into surveys and the 2021 Census as the result of a 2017 court case.
Greenland	Citizens in Greenland can change their legal sex to reflect their gender identity but only between male and female. Population statistics are derived from registers that collect legal sex which is binary.

⁹ The designations employed and the presentation of the material in this document do not imply the expression of any opinion whatsoever on the part of the Secretariat of the United Nations concerning the legal status of any country, territory, city or area, or of its authorities, or concerning the delimitation of its frontiers or boundaries.

¹⁰ Available at <http://www.unece.org/statistics/working-paper-series-on-statistics.html>

<i>Country</i>	<i>Summary of Data Collected</i>
India	<p>Transgender respondents were allowed to identify as a third sex on the 2011 Census.</p> <p>The “other” option encompassed all minority gender identity related terms.</p>
Ireland	<p>Central Statistics Office are currently engaging with stakeholders on this topic.</p> <p>The General Household Survey in 2019 will include a gender identity question.</p>
Mexico	<p>There is currently no federal law allowing a change of legal sex but recent rulings might change this.</p> <p>Mexico does not currently collect gender identity data on its census or in surveys but has tested a gender identity question.</p>
Nepal	<p>Respondents can identify as a third sex on the census.</p> <p>Outputs were not produced due to low numbers.</p>
New Zealand	<p>Collected binary sex on the last census. Gender identity was not recommended for inclusion in the 2018 census.</p> <p>Introduced a new statistical standard for sex which included “indeterminate” which is currently used in administrative settings, as well as a standard for gender identity.</p>
Pakistan	<p>The 2017 census allowed data on gender other than male or female to be collected.</p> <p>A third gender category was used for those who self-declared as “transsexual”.</p>
Scotland	<p>Updated core questions for social surveys to include a gender identity question in 2018.</p> <p>National Records of Scotland has proposed collecting gender identity data and non-binary sex through the Census for the first time in 2021, subject to parliamentary approval.</p>
Spain	<p>Legal (binary) sex is currently collected for the population registry and Census.</p> <p>Individuals can change their legal sex between the binary options.</p>
Sweden	<p>The Census is completely register based and therefore is based on legal (binary) sex.</p> <p>Sweden is exploring the feasibility of a third legal gender as well as how to record trans individuals in admin data and surveys.</p>
The Netherlands	<p>A Dutch court ruled in favour of a third option on official documents in 2018.</p> <p>Population statistics are derived from the population register which currently allows male and female options.</p> <p>Statistics Netherlands have tested a third response option for their surveys, more tests are planned.</p>
United States of America	<p>The United States does not collect gender identity data on social surveys at present, and do not currently plan to ask a question on the 2020 Census.</p> <p>Conducted research on adding SOGI (Sexual Orientation Gender Identity) question to one of their social surveys in 2016.</p>