

TERMS OF REFERENCE**A new space for equality in Europe?****A study on the equality implications of artificial intelligence and the role of equality bodies in the public discourse on AI and algorithmic discrimination****An Equinet Paper****PROPOSAL SUBMISSION DEADLINE: 3 June 2019****EQUINET**

Equinet is the European Network of Equality Bodies, a membership organisation bringing together 49 equality bodies from 36 European countries including all EU Member States.

National equality bodies are public institutions established by law to promote equality and combat discrimination, on a wide range of grounds including sex, racial or ethnic origin, disability, age, sexual orientation, religion or belief, gender expression or identity and other grounds.

Equinet promotes equality in Europe through supporting and enabling the work of national equality bodies. It supports equality bodies to be independent and effective as valuable catalysts for more equal societies.

More information about Equinet and equality bodies is available [on the Equinet website](#).

BACKGROUND & OBJECTIVES

The Equinet Work Programme 2019 commits to commissioning “a study on the consequences of digitalization for (in)equality and the role equality bodies can play in this field.”

Digitalisation, automation and the use of artificial intelligence (AI) has already had a significant effect on today’s societies in Europe and this trend is set to continue and even accelerate in the coming years. While many of the effects are positive and contribute to higher living standards, there is an increasing acknowledgment of the possible drawbacks, including the inherent risk of the vast capacity of automated systems being used for discrimination, profiling on the basis of certain characteristics.

To date research has been conducted on the benefits and risks to equality caused by automated decision-making and more generally, by AI, but there has been no study in Europe on these effects of AI from the perspective of equality bodies. This Equinet research paper will strive to fill this gap and trigger discussions on the effects of AI-driven technologies on equality through collecting the experience of and giving pointers to equality bodies as to their potential contribution in this field.

Accordingly, the contractor will be expected to produce an Equinet paper with the following overarching objectives:

- Map and identify
 - the equality implications of AI systems for equality bodies, taking into account their different legal bases, structures and mandates;
 - the nature, scope and potential modalities of the role of equality bodies in the public discourse on AI and algorithmic discrimination;
- Provide practical guidance to equality bodies in
 - Identifying and assessing the equality-relevant consequences of AI and automated decision-making;
 - Identifying how to use their powers, expertise and resources to better position themselves in the public discourse on AI and algorithmic discrimination;
- Show-case through representative case studies achievements as well as challenges of equality bodies in tackling algorithmic discrimination and more broadly, in beginning to address AI-related questions from the vantage point of non-discrimination and equality.

EXPECTED APPROACH

During the process, the contractor will be expected to:

- Selectively review [academic and policy] literature as required to address the study objectives, possibly and if needed supplemented by targeted follow up inquiries with key stakeholders in the field of equality and AI such as, for example, the Council of Europe, European Commission, European Union Agency for Fundamental Rights (FRA), data-protection authorities and select key civil society actors;
- Conduct a network-wide survey of the 49 Equinet members to collect their inputs, perspectives and information as relevant to the above objectives;
- With a view to identifying and developing the case studies mentioned in the above objectives, conduct interviews with equality bodies selected in consultation with Equinet based on the findings of the network-wide survey (approx. 5 interviews), seeking to observe a geographical balance and a balance in the mandate and competences of the equality bodies;
- Ensure as appropriate regular consultations with the Equinet Executive Board, Secretariat and thematic Working Groups in the process of drafting the Equinet paper.

EXPECTED OUTPUT

The paper (to be produced in English) is expected to:

- Provide a list and brief description of the equality implications of AI systems for equality bodies, taking into account their different legal bases, structures and mandates;
- Develop a typology of possible interventions of equality bodies in the public discourse on AI and algorithmic discrimination;
- Provide a checklist for equality bodies of questions for assessing the equality and non-discrimination compliance of automated decision-making systems and other AI technologies;
- Provide a set of recommendations how to use the powers, expertise and resources of equality bodies to better position them in the public discourse on AI and algorithmic discrimination.
- Provide a list of policy, legislative and regulatory issues that equality bodies could address in the European context in order to better position them in the wider European discourse on AI and algorithmic discrimination.

EXPERTISE REQUIREMENT

The selected expert(s) or team to be commissioned for this report/paper is expected to demonstrate:

- Understanding of the work of national equality bodies and their diversity ;
- Demonstrated track record in the analysis and interpretation of the equality implications of artificial intelligence and algorithmic decision-making;
- Excellent drafting skills in English.

SELECTION PROCESS

The Equinet Executive Board will select the winning tender.

In the selection process the following criteria will be taken into account:

- Demonstrated expertise in the field
- Quality and content of the proposal
- Price (day rate)

The proposal offering the best value for money will be selected.

TIMEFRAME

The indicative timeframe for the commissioned paper is as follows:

- Result of the selection process: **12 June 2019**
- Start of the work during the week of **17 June 2019**
- Present interim results to Equinet based on desk research, survey results and interviews conducted by **7 October 2019**
- The contractor might be invited to present the preliminary findings of the paper at the Equinet Annual General Meeting in Brussels on **24 October**
- Completion of work expected by **January 2020**

BUDGET

The maximum budget for the commissioning of this paper is **12.000 EUR** (excluding VAT).

Costs for travel (if and as necessary) or relating to presentation/discussion of the paper will be covered by Equinet separately (if and as necessary).

SUBMISSION OF PROPOSALS

A detailed proposal of the suggested approach, methodology and timeline as well as proposed budget and expert CV(s) needs to be submitted by 3 June 2019 to the attention of:

Milla Vidina, Equinet Policy Officer
Email: milla.vidina@equineteurope.org
Phone number: 0032 2 212 31 85