1. Objective of the project
The general prohibition of discrimination is inscribed into the legal system of the European Union. **The presented research project posits that the antidiscrimination rule is being endangered by the inadequate level of transparency in the usage of automated decision-technologies by public and private entities.** Consequently, the project aims at conducting a comprehensive analysis of the legal means that may be used for protecting this essential anti-discrimination rule against the discreet, yet powerful, impact of new technologies embodied in automated decision-making solutions. **Automated decision-making enables determining decisions concerning individuals on the basis of automated data processing**, e.g. the kind of social benefits which the individual may receive or assessment of one's susceptibility to participation in crime activities may be the result of processing collected data with the usage of algorithms. Yet the methods used while performing automated decision-making remain often unclear, which from a legal perspective raises concerns regarding their compliance with the general prohibition of discrimination.

Specifically, the project focuses on the limits of the protection provided by the regulatory framework created by the General Data Protection Regulation (GDPR). The Regulation introduced the right to explanation, which sparked a heated discussion in the legal doctrine. The right to explanation is supposed to provide solutions to the regulatory challenges linked to the rise of automated decision-making technologies for the general prohibition of discrimination in the European law. However, certain scholars argue that the means offered in the GDPR will not result in providing the users with the actual "explanation" of the logic involved in automated decision-making. **The aim of the project is not only to examine the limits of the right to explanation as implemented in the GDPR, but also to investigate if the right to access information may be perceived as an alternative approach when addressing the clash between automated decision-making technologies and the general prohibition of discrimination.** This shift enables discussing the right to explanation in the light of the broader concept of the right to access information. Therefore, the perspective adopted in the project has comprehensive character and will result in an analysis, which may provide valuable insight into legal conceptualisation of the discriminatory potential of automated decision-making solutions.

2. Description of the research to be carried out
The research will be based on identification of challenges posed by automated decision-making technologies to the prohibition of discrimination. The tasks to be performed include: (1) identification of challenges posed by automated decision-making technologies to the prohibition of discrimination; (2) complex identification and analysis of European regulation and case law referring to automated decision-making solutions in the area of data protection; (3) performing micro-comparative analysis of the regulation adopted by selected member states and, depending on the pace of legislative process, selected draft laws regarding the key legal aspects of the regulation, which refer to automated data processing; (4) complex identification and analysis of European regulation and case law referring to the right to access information, in order to assess the possibility of treating it as an alternative approach to the right to explanation, which refers strictly to the states' operations; and (5) performing micro-comparative analysis of the regulation and case-law on the right to access information in selected member states regarding the key legal aspects of the regulation, which may refer to automated data processing. The project will result with the comprehensive analysis of the European regulation concerning automated decision-making in relation to the general prohibition of discrimination.

3. Reasons for choosing research topic

Due to the character of automated decision-making, it runs risk at being at odds with the prohibition of discrimination. Automated decision-making solutions depend on the variables selected as meaningful in a given case. This arbitrary selection may be perceived as a source of discriminatory potential, especially regarding indirect discrimination: the categorization may result in subjecting individuals in not-comparable situations to the same treatment. The effects of such unified decisions may differ highly, as the selection of the meaningful variables may not take into account the vulnerability of individuals belonging to groups more liable to discriminatory treatment. Simultaneously, automated decision-making solutions may lead to lack of transparency when assessing whether direct discrimination is taking place. There is little space to examine comparability of situations of the individuals subjected to automated decision-making. **This inadequate level of transparency in the usage of the automated decision-technologies is the reason for choosing the research topic: it shall address the legal challenges which appear due to the development of automated decision-making solutions.** The analysis is focused on the right to explanation as implemented in the GDPR and on considering the alternative, namely approaching the algorithms on which the automated decision-making is based as information subjected to the right to access information.