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European Asylum Decision-Makers' Beliefs about Cognitive Bias in Refugee Status Determination

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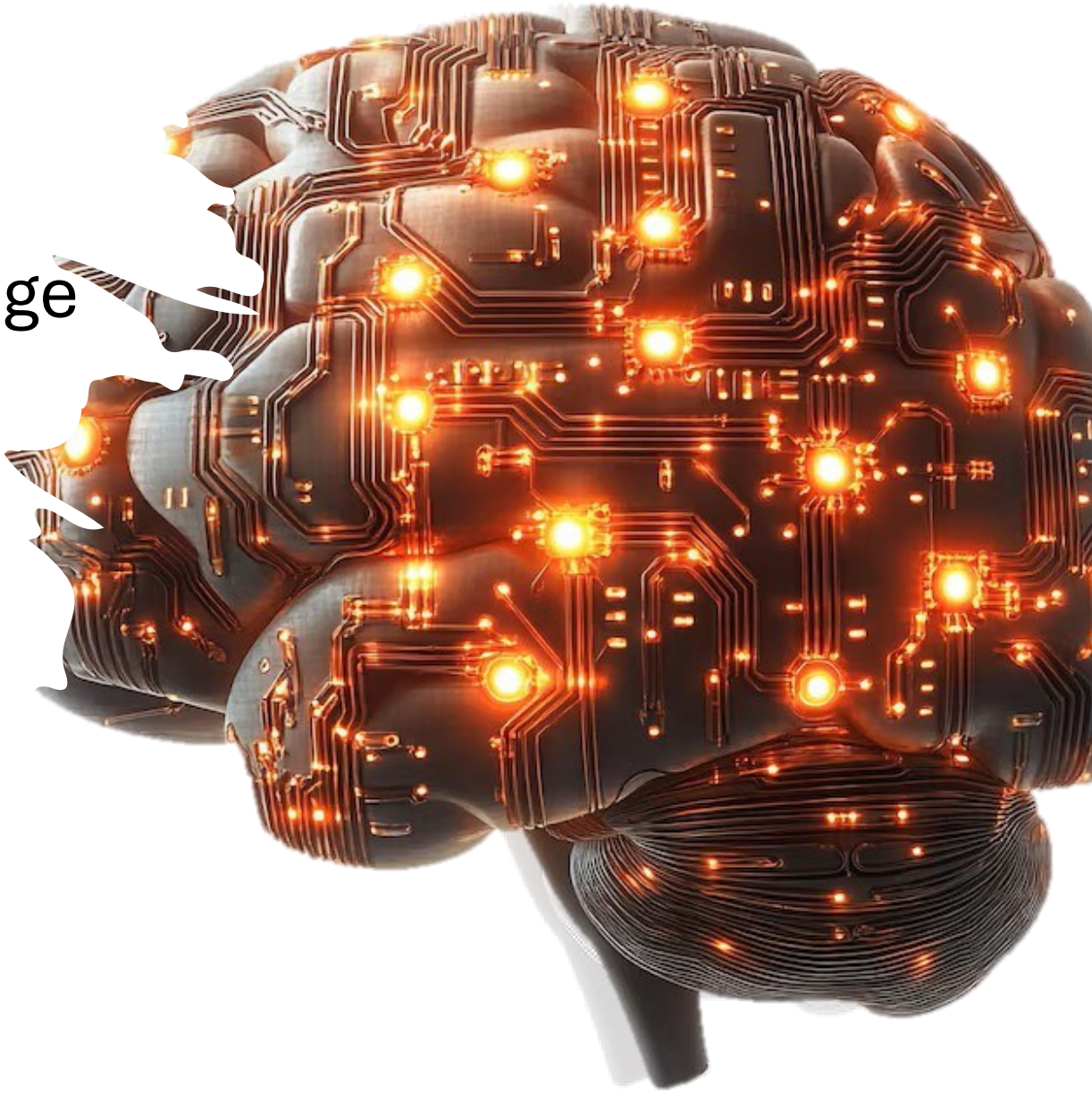
Cognitive bias

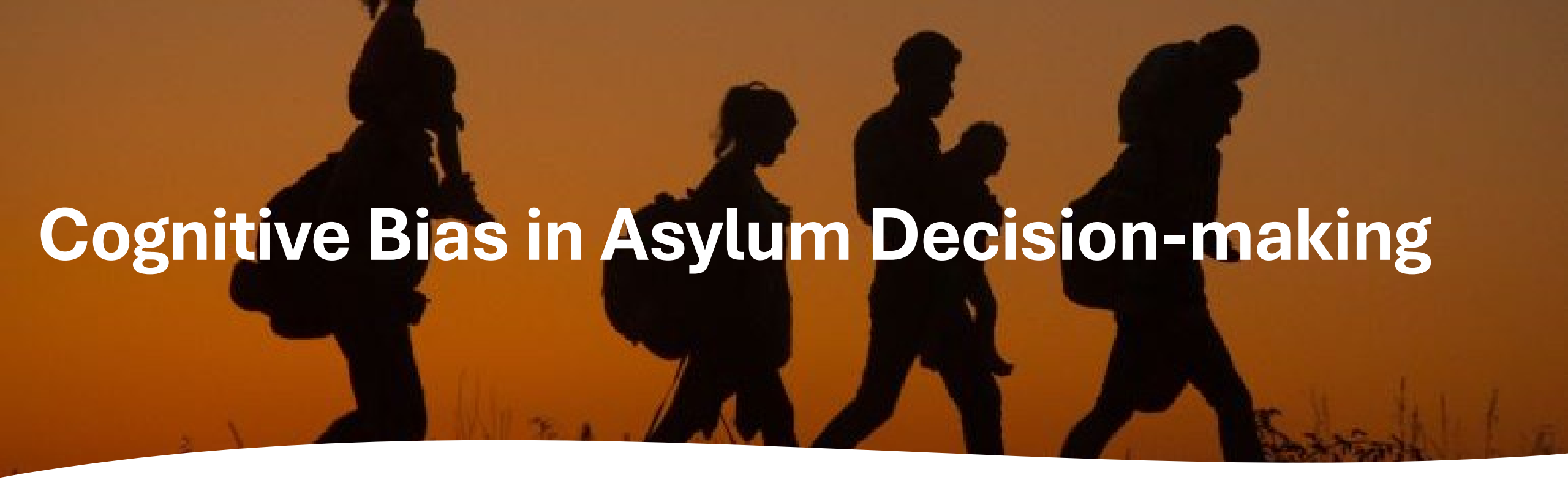
- Time, information, and knowledge limitations

-> forming habits & using mental shortcuts (heuristics)

(Gigerenzer & Todd, 2001; Todd & Gigerenzer, 2000)

- quicker decisions
- using ineffective and unreliable heuristics can lead to errors: cognitive bias (Tversky & Kahneman, 1974)





Cognitive Bias in Asylum Decision-making

- Working under significant time pressure and heavy workloads (Skrifvars et al., 2024)
- Focusing on an aspect of a claim by asking more closed-ended questions (Skrifvars et al., 2020; Van Veldhuizen et al., 2018)
- Little is known about the strategies officials use to mitigate against the negative effects of these biases in the asylum context.
- Using partially unsupported assumptions about human memory and fear (Selim et al., 2025; Skrifvars, Sui et al., 2024)
- Influence of political atmosphere (Raman et al., 2022; Spirig, 2018; Riedel & Schneider, 2017)

Misconceptions about cognitive bias

Dror (2020) : 6 misconceptions held by forensic experts:

1. Cognitive bias is an ethical issue
2. Those influenced by cognitive bias are bad apples,
3. Experts are immune to cognitive bias,
4. Technological protection,
5. Bias blind spots
6. The illusion of control

Misconceptions about cognitive bias

Kukucka et al. (2017) & Zapf et al. (2018) forensic examiners and forensic mental health professionals:

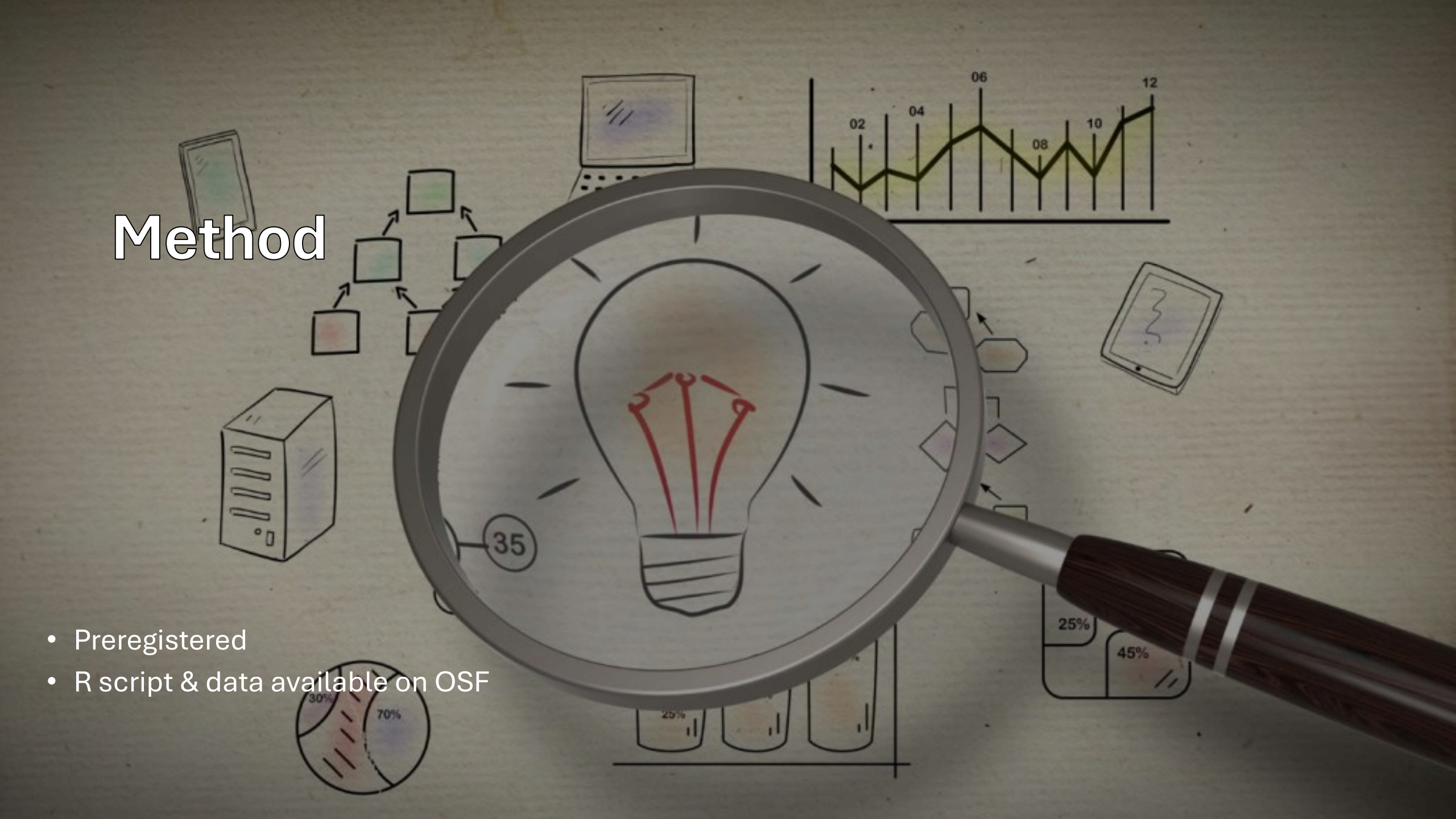
- Very confident about decision-making in their field (74 -96% perceived accuracy)
- Cognitive bias a cause for concern and admitted that their prior beliefs and expectations affected their decisions
- A presence of a bias blind spot and an illusion of control
- Training and experience were associated with the beliefs

Current study

Extended Kukucka et al. (2017) and Zapf et al. (2018) -> the beliefs of cognitive bias of asylum decision-makers -> examining:

- their perceived accuracy of decisions.
- their beliefs about cognitive bias.
- how training and experience affect their beliefs.
- their strategies for controlling cognitive bias.

Method



- Preregistered
- R script & data available on OSF

Participants

- 140 asylum decision-makers across Europe
- 79 asylum officials and 61 appeal court judges
- 91 females, 47 males, and 2 Undisclosed.
- Mean age: 41 (SD=13) years
- Average 8 years of work experience
- 36 Germany, 56 Sweden, 36 Finland, 12 from 5 other EU countries.

Survey

Measure: Misconceptions about cognitive bias

Dror (2020) : 6 misconceptions held by forensic experts **(we categorized as 5):**

1. *Cognitive bias as an issue*
   1a. Cognitive bias is an ethical issue
   1b. Bias as a Cause for Concern
2. *Fallacy of expert Immunity*
   2a. Those influenced by cognitive bias are bad apples,
   2b. Experts are immune to cognitive bias
3. Technological protection,
4. Bias blind spots
5. The illusion of control

Measure: Misconceptions about cognitive bias

Dror (2020) : 6 misconceptions held by forensic experts **(we categorized as 5):**

1. *Cognitive bias as an issue*
   1a. Cognitive bias is an ethical issue
   1b. Bias as a Cause for Concern

Bias as an Ethical Issue: decision-makers reported whether they believed cognitive bias in their work represented an ethical issue (‘yes’, ‘no’, and ‘don’t know’).

Bias as a Cause for Concern: whether they believed cognitive bias in asylum decision-making was a cause for concern(‘yes’, ‘no’, and ‘don’t know’).

Measure: Misconceptions about cognitive bias

2. Fallacy of expert Immunity

2a. Those influenced by cognitive bias are bad apples,

2b. Experts are immune to cognitive bias

5. The illusion of control

We adapted six items from Kukucka et al. (2017) and Zapf et al. (2018), example items:

Fallacy of expert immunity: An asylum decision maker's prior beliefs and expectations can affect how they evaluate the credibility of an asylum case.

Illusion of control item: An asylum decision maker who makes a conscious effort to set aside their prior beliefs and expectations is less likely to be influenced by them.

Measure: Misconceptions about cognitive bias

3. Technological protection,

If an asylum decision maker were to use artificial intelligence for credibility assessment, it would guarantee that their prior beliefs and expectations would not overly influence their decision-making.

If an asylum decision maker were to use a computerised system to compare facts from cases to a reference material such as country-of-origin information, it would guarantee that their prior beliefs and expectations would not overly influence their decision-making

Measure: Misconceptions about cognitive bias

4. Bias blind spots

Decision-makers estimated in %, how much their own (self) and their colleagues' (colleague) asylum decisions were influenced by cognitive biases


Results

Data Analyses

- Bayesian approach, which compares competing models and favours those with stronger evidence.
- The direction of the Bayes Factor, BF10 > 1, speaks for or, BF10 < 1, against the H1 (cf. H0).

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Results: *Cognitive bias as an issue*

Most decision-makers considered cognitive bias as an ethical issue (56%), followed by ‘don’t know’ (32%) and ‘no’ (12%) responses,

$\chi^2 = 33.95$, $p > .001$, $BF10 = 3.73 \times 10^4$

Results: *Fallacy of expert Immunity*

Decision-makers acknowledged their susceptibility to cognitive bias, challenging the fallacy of expert immunity

i. Expectation Bias on credibility	5.36	1.21	>	13.38	**< .001**	1.13	0.95	inf	**7.7×10^{23}**
ii. Expectation Bias on eligibility	4.96	1.31	>	8.66	**< .001**	0.73	0.57	inf	**1.21×10^{12}**
iii. Prior interview impression	4.39	1.54	>	2.96	**.002**	0.25	0.11	inf	**12**
iv. Impression effect on eligibility	4.66	1.44	>	5.45	**< .001**	0.46	0.31	inf	**1.03×10^{5}**
v. Experienced decision makers' immunity [a]	3.5	1.5	>	-3.94	.99	0.$\bar{3}$3	0.$\bar{4}$8	inf	0.02
v. Experienced decision makers' immunity [a]	3.5	1.5	<	-3.94	**< .001**	0.$\bar{3}$3	inf	0.$\bar{4}$8	259.35
vi. Carry over Effect	4.76	1.19	Two-tailed	7.59	**< .001**	0.64	0.46	0.82	**1.84×10^{9}**

Results: Technological protection

Decision-makers disagreed that technology could eliminate bias; however, they were unsure about the role of computerised systems for comparing facts of cases with reference material—such as country-of-origin information—in preventing cognitive bias

AI protection on credibility assessment	2.80	1.53	Two-tailed	-9.29	**< .001**	-0.79	-0.97	-0.59	**2.12×10^{-13}**
AI protection on case comparison	3.74	1.47	Two-tailed	-2.12	**.04**	-0.18	-0.35	-0.01	0.83
AI protection on case comparison	3.74	1.47	<	-2.12	**.04**	-0.18	-0.35	-0.01	1.63

Results: Bias blind spots

Very strong support for the bias blind spot, with decision-makers rating their own work (M = 38) as less susceptible to cognitive bias than that of their colleagues (M = 44)

$t\ (139) = -6{,}51,\ p < .001,\ d = -0.55,\ BF10 = 1.46 \times 10^{7}$

Results: The illusion of control

- very strong evidence for the fallacy of illusion of control, with decision makers agreeing that they could consciously set aside their cognitive biases and remain unaffected by them
- $t\ (139) = 16.45,\ p < .001,\ d = 1.39,\ BF10 = 2{,}86 \times 10^{31}$

Summary of results:

- *1. Cognitive bias as an issue*
- *2. Fallacy of expert Immunity*
- 3. Technological protection,
- 4. Bias blind spots
- 5. The illusion of control

Discussion

- Decision-makers acknowledged that asylum decisions are susceptible to cognitive bias
    - Officials emphasised the negative consequences of decisions influenced by bias and highlighted the importance of maintaining objectivity and fairness.
- Officials recognized that AI-based credibility assessment cannot fully eliminate cognitive bias influence
- Officials less biased than their colleagues and could consciously control their biases– reflecting two common misconceptions.
- These findings align with prior research findings among forensic experts (Kukucka et al., 2017; Zapf et al., 2018).
- Many officials reported no training on cognitive bias. These findings highlight a strong need for training on cognitive bias and strategies to manage it among asylum officials.

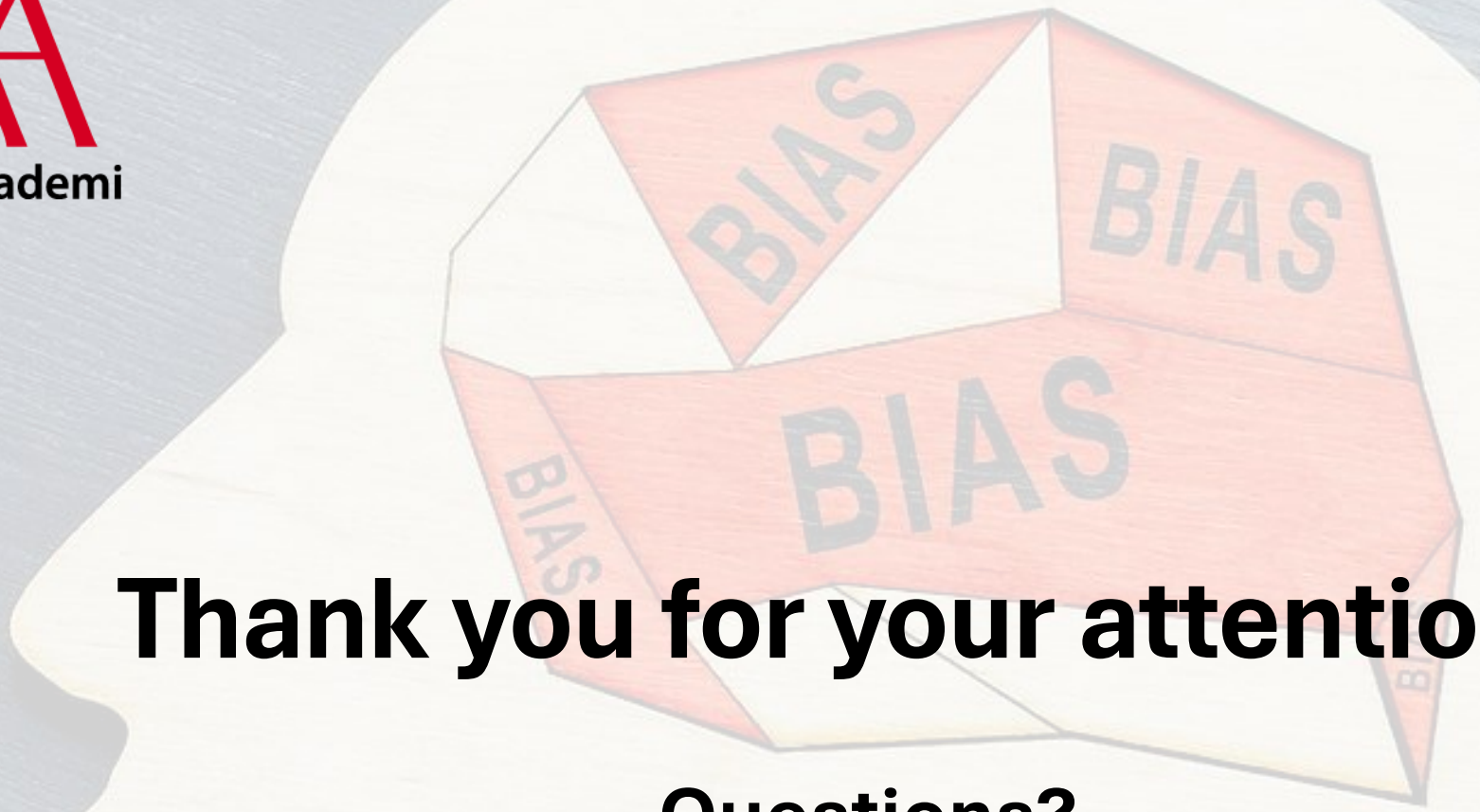
Limitations

- Even though we found some differences among the countries when it comes to beliefs about experts' immunity, it was that officials in all countries agreed with the statement, but those from Germany were more likely to agree with the statement.
  - All decision-makers in Germany were appeal court judges
- The psychometric properties of the scale for measuring beliefs about cognitive bias have not been tested
- Self-report format survey: responding biases

Summary & Conclusions

- We investigated whether asylum decision-makers across Europe held any of the six misconceptions about the cognitive bias (Dror, 2020).
- Asylum decision-makers acknowledged their susceptibility to the influence of cognitive bias.
- However, they were prone to the bias blind spot and illusion of control.

-> The importance of developing strategies and training programs that affect these beliefs



Thank you for your attention!

Questions?

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