# POLICYBRIEF

# Complexity of Choice in Asylum Seeker Decision-making

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## Recommended policy actions:

- Asylum seeker decision-making is complex, non-linear, and multidimensional. Policies should reflect the diverse range of factors that influence asylum seeker decision-making which is shaped by factors on many levels: individual, familial, political, national, and international. Some factors are unknown and unknowable.
- Asylum policies need to be grounded in an understanding of the contexts with which asylum seekers interact. Instead of analyzing asylum seeker decision-making in an atomistic manner, it needs to be understood as part of an adaptive process in complex social systems in which their beliefs, expectations, and decision-making adapt and change dynamically.
- Asylum policies should reflect an understanding of more comprehensive micro-behavioural data and analyses which explain motivations as well as how asylum seekers process information.
- Asylum policies need to account for perception and behavioural biases, such as confirmation bias.

## Introduction

Asylum seekers may make choices about when and how they travel in search of protection, but these choices are constrained by various factors, including context, time, and rapidly shifting and evolving circumstances. An asylum seeker from Cameroon, for example, may have the United Kingdom as their destination of choice but end up settling in Germany, and vice versa. An economic migrant may become a refugee during the migratory journey and a refugee may become an economic migrant due to an inability to support themselves and their family in the country where they first seek protection.[1] The interplay between the individual actions of asylum seekers, the collective actions of others, and institutions[2] (such as government policies) influence the journey of an asylum seeker from country of origin to country of destination. This interplay means that asylum seekers are part of complex social systems in which their beliefs, expectations, and decision-making adapt and change dynamically. Complex systems cannot be understood by only analysing an individual's decision-making process. Instead, they require a study of the wider components and the social dynamics of the system in which asylum seekers operate.

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1   Heaven Crawley and Dimitris Skleparis, "Refugee, migrant, neither, both: categorical fetishism and the politics of bounding in Europe's 'migration crisis,'" *Journal of Ethnic and Migration Studies* Vol. 44 Issue 1 (2017): 48–64; Heaven Crawley and Jessica Hagen-Zanker, "Deciding where to go: policies, people and perceptions shaping destination preferences," *International Migration* Vol. 15 Issue 1 (2018): 20–35; Heaven Crawley and Katharine Jones, "Beyond here and there: (re)conceptualising migrant journeys and the 'in-between,'" *Journal of Ethnic and Migration Studies* Vol. 47 Issue 14 (2020): 3226–3242.

2   Institutions are the customs, traditions, conventions, and norms that govern the interaction between different actors. Their nature is social, political, economical, and legal, and they operate at various scales, from highly localized practices to overarching legal agreements between States. See: Sebastian Ille, *Models of Society and Complex Systems* (New York: Routledge, 2023).

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In this policy brief, we draw on an extensive review of academic and policy literature, as well as the authors' engagement with asylum seekers in the United Kingdom and in North Africa,[3] to propose that policymakers adopt "complexity theory" - identifying and explaining patterns of change and feedback effects across dynamics systems[4] - to understand the decision-making process of asylum seekers.

A complexity approach could help improve policies towards asylum seekers, countering assumptions that policymaking can directly control the number of people arriving to claim asylum without taking into account the interconnected elements of the broader social system within which their decisions are made. It stresses the need for both a more nuanced as well as a more holistic engagement with asylum seekers that recognizes the expectations, cognitive processes, and biases that influence their decision-making, in addition to the role of other stakeholders.

Such an approach would also help challenge simplistic portrayals of asylum seekers as opportunistic individuals driven by a desire to "jump the queue."[5] The current political discourse in several Western countries (including Australia and the United Kingdom, for example) continues to be stuck in the dichotomous view that refugees are either good by "waiting for resettlement," or bad for taking their own action and "coming by boat," even though international law does not make this distinction.[6]

## Understanding the Factors that Influence Asylum Seekers

### The Role of Chance Encounters and the Unknown in Decision-making

There is broad agreement in the literature on asylum and migration that asylum seeker decision-making is influenced by several factors or motivators.[7] These factors include the agency of asylum seekers and their cognitive and emotional readiness to undertake a journey, which can be difficult to comprehend and can remain unknown to observers and analysts. Some factors are tied to the collective actions and interactions with, and between groups, and others are related to social structures and institutions and other political, environmental, and socioeconomic drivers of mobility. Of particular significance is how those factors interact and unfold across an asylum seeker's journey.

There is increasing evidence that chance encounters and feedback effects between these factors can shape asylum seeker decision-making in ways that can be unpredictable and that do not follow linear thinking. Alhousari, for example, describes how one respondent in their study on the decision-making of Syrian refugees had initially planned to travel to the United Kingdom but had been informed by other migrants in Greece that the participant should travel to Sweden.[8] At that time, Sweden was perceived as offering better opportunities to rebuild lives due to its welcoming democratic environment. This then changed the participant's mind. The respondent was not aware that temporary laws were introduced in Sweden at the end of 2015 which meant s/he could only receive a temporary residence permit on arrival; this information had not been passed on as it was either not known or was not considered relevant. The role of chance in determining the country asylum seekers decide upon as their destination is also highlighted by Rowe.[9] She explains that one interviewee in her study ended up travelling to Australia despite originally considering Canada or the United States. This was because their friend had a connection with a smuggler who had a pre-existing route for taking people to Australia, and the participant did not have a strong enough preference to pass up the opportunity.

### Asylum Seekers as Adaptive Agents

Asylum seekers adapt, change, and reorganize in conjunction with the environment or contexts they find themselves in. An asylum seeker's agency, as well as his or her ability to understand the decision environment, changes throughout the journey as new information and options become available or previous choices and opportunities are no longer accessible. Crawley and Hagen-Zanker, for example, outline how planned destinations can change for asylum seekers over the duration

3    The policy brief draws on a larger study co-authored with Gayle Munro, Deputy Director of the Centre for Children and Families at NatCen, Ini Dele-Adedeji, former Senior Researcher with NatCen International, and Conor O'Shea, Researcher with NatCen International.

4    See: Sebastian Ille, *Models of Society and Complex Systems*, and David Byrne and Gillian Callaghan, *Complexity Theory and the Social Sciences: The State of the Art* (New York: Routledge, 2013).

5    Mary-Kate Findon, "Suella Braverman says UK 'can't go on' taking in people who 'jump the queue,'" *The Independent*, https://www.independent.co.uk/tv/news/suella-braverman-migrants-asylum-policy-b2296378.html.

6    See Jane McAdam, "Australia and Asylum Seekers," *International Journal of Refugee Law*, Vol. 25 Issue 3 (2013): 435–448.

7    See: Jenny Allsopp, "Unaccompanied minors and secondary migration between Italy and the UK," *Becoming Adult Research Brief* 8 (London: UCL, 2017); Ehab Alhousari, "Decision-Making and Destination Selection Among Syrian Refugees: A Mixed-method of Asylum Destination Choice, the Case of Sweden," Master's Thesis, Malmo University, 2020; Oliver Bakewell and Dominique Jolivet, "Broadcast feedback as causal mechanisms for migration," *IMI Working Paper No. 113* (Oxford: International Migration Institute, 2015); Mehmet Balcilar and Jeffrey Nugent, "The migration of fear: An analysis of migration choices of Syrian refugees," *The Quarterly Review of Economics and Finance* Vol. 73 (2019): 95–110; James Banks, "Unmasking Deviance: The Visual Construction of Asylum Seekers and Refugees in English National Newspapers," *Critical Criminology* Vol. 20 (2012): 293–310; Heaven Crawley, *Chance or Choice? Understanding Why Asylum Seekers Come to the UK* (London: Refugee Council, 2010); Heaven Crawley, "The Politics of Refugee Protection in a (Post) COVID-19 World," *Social Sciences* Vol. 10 Issue 81 (2021): 81; Heaven Crawley and Jessica Hagen-Zanker, "Deciding where to go."

8    See: Ehab Alhousari, "Decision-Making and Destination Selection Among Syrian Refugees."

9    See: Elizabeth A. Rowe, "Life-Saving and Life-Changing: The Decision-making Processes of People Seeking Asylum," PhD dissertation, Queensland University of Technology, 2018. Accessible at: https://eprints.qut.edu.au/116152/2/Elizabeth_Rowe_Thesis.pdf.

of the journey, both for those who left their origin country with a specific destination in mind and those who did not have a preference.[10] They explain that, in each new location, asylum seekers come into contact with people who provide new information about different locations. Additionally, asylum seekers may reach their initial destination country but do not feel safe there, and so decide to move on. For example, Crawley and Hagen-Zanker note that their Nigerian interview participants had been planning to stay in Libya but, on arrival, felt the country was too dangerous so decided to make the journey to Europe.

The adaptive decision-making of asylum seekers is also discussed by Shamai and Amir.[11] They explain that one Eritrean respondent initially fled to Ethiopia after realizing his time carrying out national service would be extended. After living in a refugee camp in Ethiopia for four years, he moved to Sudan and considered travelling to Europe through Libya. However, he decided this was too dangerous so chose to travel to Israel via Egypt instead. This individual's story highlights the complex and extended journeys asylum seekers make in search of safety.

### Cognitive Migration and Perception Bias

The role perception bias plays in influencing the choice of destination country is also identified by Crawley and Hagen-Zanker.[12] They find that individuals chose their preferred countries based on how likely they perceived they could create successful lives in those countries. This perception may be based on information received from family members living in these countries or those they met while travelling. However, this information may be contradictory and can quickly become outdated, so that asylum seekers cannot make fully informed decisions about their preferred country.

In their interviews with Iraqi asylum seekers, Koikkalainen, Kyle, and Nykänen found that respondents had based their decision to travel to Finland on what they had heard and read online, including that Finland was a safe country in which human rights were respected, that there were few Iraqis living there already, and that asylum applications would be processed quickly.[13] They travelled through Europe in search of

"an idealized version of Finland," which they had constructed in their minds. Through "cognitive migration," the act of pre-experiencing futures in different locations, Finland was seen to offer hope of both personal advancement and safety. The authors note that this did not accord with reality: asylum procedures in Finland were time consuming, and its immigration policies had historically been more restrictive than other European countries.

Similarly, Rowe found that the decisions of her participants were influenced by their expectations and imagining of what life in Australia would be like, rather than the reality.[14]

## Influences beyond Asylum Seekers

### The Ambiguous View on Smugglers

The profile of agents varies significantly from one context to another, and the literature draws an ambivalent picture of the role of smugglers. Luigi Achilli challenges the view of migrants as exploited victims and smugglers as criminals driven solely by profit.[15] In fact, smuggling can be viewed positively among many migrant communities and a strong bond can exist between smugglers and migrants. Many smugglers perceive themselves as service providers, filling gaps that cannot be met via legal channels. Meanwhile, some migrants and refugees view smugglers as philanthropists, and even as ordinary people engaging in entrepreneurialism. Achilli argues that trust and cooperation between smugglers and migrants appeared to be the rule rather than the exception, evidenced by deep social ties between the two groups. In Hovil and Oette's study, such was the faith and trust migrants placed in smugglers that asylum seekers even described smugglers as "honest" smugglers or that they "helped" migrants.[16]

The conclusions reached in other research are more reserved. Içli, Sever, and Sever interviewed people who had used the services of smugglers and found that two-thirds described smugglers as violent, aggressive, and rude, 95 per cent feared dying during the journey, and nearly half felt they were unable to return to their origin location due to threats or violence from the smugglers.[17] These findings highlight the exploitative nature of smuggling.

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10  See: Heaven Crawley & Jessica Hagen-Zanker, "Deciding where to go."

11  Michal Shamai and Yair Amir, "Not the Promised Land: African Asylum Seekers and Refugees in Israel," *Qualitative Health Research* Vol. 26 Issue 4 (2015): 504–517.

12  See: Heaven Crawley and Jessica Hagen-Zanker, "Deciding where to go."

13  Sara Koikkalainen, David Kyle, and Taipo Nykänen, "Imagination, Hope and the Migrant Journey: Iraqi Asylum Seekers Looking for a Future in Europe," *International Migration* Vol. 58 Issue 4 (2020): 54–68.

14  See: Elizabeth A. Rowe, "Life-Saving and Life-Changing."

15  See: Luigi Achilli, "Irregular Migration to the EU and Human Smuggling in the Mediterranean. The Nexus between Organized Crime and Irregular Migration," *IEMed Mediterranean Yearbook 2016*: 98–103.

16  See: Lucy Hovil and Lutz Oette, *Tackling the Root Causes of Human Trafficking and Smuggling from Eritrea: The Need for an Empirically Grounded EU Policy on Mixed Migration in the Horn of Africa* (London: SOAS, 2017). Accessible at: https://www.soas.ac.uk/human-rights-law/reports-research-projects-and-submissions/file125174.pdf.

17  See: Tülin G. Içli, Hanifi Sever, and Muhammed Sever, "A Survey Study on the Profile of Human Smugglers in Turkey," *Advances in Applied Sociology* Vol. 5 Issue 1 (2015): 1–12.

One participant in Rowe's study highlights how smugglers are able to exploit asylum seekers due to their limited legal options.[18] The Afghan participant was unable to travel legally due to fear of being captured by the Taliban. He felt he had to use the services of a smuggler and believed he was travelling to Europe but the smuggler took him to Australia instead. Additionally, Rowe notes that respondents felt they had been deceived regarding the conditions of the journey, with asylum seekers reporting not having access to water for several days.

A mixed view of smugglers on the part of migrants is offered by Paul.[19] They report that many interview participants in their study described a positive relationship with their smugglers, including describing them as "trustworthy." However, they also note that this was not the case for all migrants, especially if smugglers prioritized profit over migrant safety.

The prioritization of profit over the well-being of their clients in conjunction with the fact that smugglers possess information that is not easily accessible to an asylum seeker, creates a principal-agent problem.[20] The smuggler then has an incentive to exploit information asymmetry by withholding vital information to uphold their informational advantage over the asylum seeker and increase their profit at the expense of the latter.

### The Role of Social Networks

Brekke and Brochmann outline the importance of temporary social networks and contacts within diasporic communities in shaping asylum seeker decision-making.[21] The authors report that information would often be shared among migrants making journeys. The information could be negative, including experiences in particular countries, for example being returned to Italy due to the Dublin Regulation. Other information about particular countries may be positive (for example Norway being an ideal country to travel to), even when those suggesting the country had little knowledge about the country to support their view.[22]

Social networks and word-of-mouth are therefore key for asylum seekers selecting a smuggler. Hagen-Zanker and Mallett found that their respondents were very careful about who they used as a smuggler to ensure their safety during the journey.[23] They reported that the reputation of smugglers was critical. Those who had previously completed successful journeys with the help of certain smugglers would vouch for them. The importance of trust in sources of information was found to be crucial by Dekker et al.[24] They demonstrate that their respondents were more likely to trust information from those they knew on social media or who had communicated with them personally, compared to those who were unknown to them, or who posted public messages. When information was available publicly online, this would be checked with trusted connections, often those who had already arrived in Europe, to confirm whether it was reliable or not. However, some participants noted that trusted individuals may not be completely honest about the hardships of the journey or life in destination countries to ensure others did not worry about them.

### The Complex Systems of Asylum Seeker Decision-making

It is clear from the evidence that asylum seeker decision-making is complex, non-linear, and multidimensional. There are a diverse range of factors that influence asylum seeker decision-making which is shaped by factors on many levels: individual, familial, political, national, and international. Our research highlights that some factors are unknown and unknowable. Even if we were able to capture all of the factors influencing decision-making at a single point in time, this information may be outdated, as decision-making shifts and changes across the migration journey. Choices change across the migratory journey due to asylum seekers coming across better opportunities or meeting new people who offer them more attractive alternatives. Asylum seekers may come across information which they did not know about previously, persuading them to change their minds about a particular destination country. The challenge is for policy makers to better understand and anticipate the complexities surrounding asylum seeker decision-making.

18  See: Elizabeth A. Rowe, "Life-Saving and Life-Changing."

19  Sebastian Paul, "Characteristics of Migrants Coming to Europe: A Survey Among Asylum Seekers and Refugees in Germany About their Journey," *Migration Letters* Vol. 17 Issue 6 (2020): 825–835.

20  See also: Oliver Hart and Bengt Holmström, "The theory of contracts," *Advances in Economics and Econometrics* ed. Truman Bewley (Cambridge: Cambridge University Press, 1987).

21  The Dublin Regulation ensures "quick access to the asylum procedures and the examination of an application on the merits by a single, clearly determined EU country." It establishes the Member State that would hold the responsibility for the examination of the asylum application. The criteria for establishing responsibility are: "family considerations, recent possession of visa or residence permit in a Member State, and whether the applicant has entered the EU irregularly, or regularly." See: European Commission, "Country responsible for asylum application (Dublin Regulation)," last accessed 7 June 2023, https://home-affairs.ec.europa.eu/policies/migration-and-asylum/common-european-asylum-system/country-responsible-asylum-application-dublin-regulation_en.

22  See: Jan-Paul Brekke and Grete Brochmann, "Stuck in Transit: Secondary Migration of Asylum Seekers in Europe, National Differences, and the Dublin Regulation," *Journal of Refugee Studies* Vol. 28 Issue 2 (2015): 145–162.

23  See: Jessica Hagen-Zanker and Richard Mallett, *Journeys to Europe: The role of policy in migrant decision-making* (London: ODI, 2016). Accessible at: https://cdn.odi.org/media/documents/10297.pdf.

24  See: Rianne Dekker, Godfried B. M. Engbersen, Jeanine Klaver, and Hanna Vonk, "Smart Refugees: How Syrian asylum migrants use social media information in migration decision-making," *Social Media and Society* Vol. 4 Issue 1 (2018): 1–11.

Understanding the complexity of choice is necessary for sound and effective policymaking. Asylum seekers find themselves in rapidly changing and evolving contexts and this, in turn, shapes and affects their decision-making processes. Asylum seekers may adapt to policies but not necessarily in the linear manner that may be anticipated. Policies initiate feedback effects that can create chain reactions between asylum seekers and several other actors, including their peers, smugglers, as well as the institutions that govern them, leading to unforeseen reactions that conflict with the policy-makers' intentions and which adversely affect the well-being of the asylum seekers targeted by the policy.

To fully understand the complexity of decision-making, we also need additional data to understand asylum seeker decision-making. We require evidence which makes it possible to account for the process and temporal considerations that shape decision-making as it unfolds across the migration journey. We may comprehend the motivations of asylum seekers for choosing a destination country, and the actions they take to make their journey possible. But there are a myriad of other situations which we still do not fully understand, for example, how and why decision-making shifts across migratory journeys,[25] the decision-making processes of migrants who do not make it to their destination country,[26] or the role of agents and human smugglers in influencing asylum seeker decision-making.[27]

## Policy Implications

1. Policies should reflect an understanding that asylum seeker decision making is affected by the wider environment, which includes family, peers, and other individuals, as well as existing, new and changing institutions, and other social, political, and economic factors.
2. Understanding asylum seeker decision-making requires tracing the positive and negative feedback effects between asylum seekers, other peers and stakeholders, as well as institutions and political, social, and economic factors.
3. The situation is further complicated by the fact that asylum seekers are not a homogenous population. They possess multiple social characteristics (for example gender, sexual orientation, socio-economic class, race, ethnicity, religion, age, and disability), all of which generate different experiences and likely engender different decisions along the migration journey.
4. Asylum seekers are adaptive agents whose decisions are interconnected and shift at various stages throughout the journey. Chance encounters matter, and some factors that influence asylum seeker decision-making are unknown.

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25 See, for example: Heaven Crawley and Katharine Jones, "Beyond Here and There."
26 See, for example: Antje Missbach, "Asylum Seekers' and Refugees' Decision-Making in Transit in Indonesia: The Need for In-Depth and Longitudinal Research," *Journal of the Humanities and Social Sciences of Southeast Asia* Vol. 175 (2019): 419–445.
27 See, for example: Masooma Torfa, Salwa Almohamed, and Regina Birner, "Origin and Transit Migration of Afghans and Syrians to Germany: The Influential Actors and Factors Behind the Destination Choice," *International Migration* Vol. 60 Issue 3 (2021): 121–138.