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Article

Asylum Processing Algorithms and Epistemic Violence: A Review of AI's Role in Refugee Status Determination

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Abstract: The increasing use of Artificial Intelligence (AI) in asylum processing systems has raised significant ethical concerns, particularly regarding its impact on refugee status determination (RSD). AI technologies, such as machine learning and biometric recognition, are increasingly being employed to streamline asylum decision-making. However, there is a growing concern about the biases embedded in these systems and the potential for epistemic violence—the erasure of refugee voices in the decision-making process. This study aims to explore the role of AI algorithms in asylum processing, focusing on how they contribute to epistemic violence in refugee status determination. This research employs a qualitative literature review methodology, analysing a range of academic articles, reports, and case studies published over the past decade. The primary data collection method involves reviewing secondary data from peer-reviewed articles, government reports, and international organisations that focus on AI and asylum processing. Data analysis follows a thematic approach, identifying key trends, challenges, and ethical implications related to the implementation of AI in RSD processes. The results of this review reveal that AI systems often perpetuate biases based on race, gender, and nationality, leading to unfair outcomes for refugees. Additionally, AI's inability to fully capture the complexity of refugee experiences contributes to epistemic violence, where the unique and personal stories of refugees are reduced to data points. In conclusion, AI has the potential to improve asylum processes but must be applied with caution. Future research should focus on the development of ethical AI frameworks and explore alternative approaches to ensure more inclusive and fair refugee status determination processes.

Keywords: asylum processing; artificial intelligence; epistemic violence; refugee status determination; algorithmic bias

1. Introduction

In recent decades, global patterns of forced migration have reached unprecedented levels, driven by conflict, persecution, climate change, and systemic inequality [1]. As nation-states grapple with the logistical and political challenges of processing increasing numbers of asylum applications, there has been a growing shift toward the use of artificial intelligence (AI) and algorithmic systems in the governance of borders and humanitarian protection frameworks [2]. This shift is part of a broader transformation in public administration, where digital technologies are heralded as tools of efficiency, scalability, and neutrality across various bureaucratic functions, including refugee status determination (RSD) [3].

Despite promises of objectivity, the integration of AI into asylum systems raises complex and urgent

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questions regarding justice, accountability, and human rights [4]. Algorithmic tools—ranging from biometric identification systems and language analytics to automated credibility assessments—are increasingly involved in assessing the legitimacy of asylum claims [5]. These tools often operate through opaque mechanisms, shaped by probabilistic logic and trained on incomplete or biased datasets, thereby producing decisions that are difficult to contest and even harder to understand [6]. What is presented as a neutral technological process may, in reality, encode and reproduce existing structural prejudices, especially when applied to vulnerable populations such as asylum seekers [7].

A critical concern is that the deployment of such systems may reinforce forms of epistemic violence—a concept denoting the systemic exclusion, suppression, or misrecognition of certain knowledges, voices, and lived experiences within dominant structures of interpretation and authority [8]. Originating in postcolonial and feminist epistemology, the concept of epistemic violence highlights how marginalised individuals are rendered unintelligible or discredited not through physical coercion, but through mechanisms of discursive control and institutional neglect [9]. In the context of asylum adjudication, this occurs when applicants' testimonies are filtered, standardised, or outright dismissed by algorithmic systems that cannot comprehend cultural nuance, trauma expression, or non-Western modes of storytelling [10].

This dynamic is exacerbated by the techno-legal infrastructure that surrounds asylum processes. Refugees are often subjected to automated risk assessments, profiling techniques, and predictive modelling tools, none of which are transparent or consistently regulated across jurisdictions [11]. The result is a form of computational governance that masks political judgment under the guise of data-driven logic, enabling states to expedite deportations, deny claims, or withhold rights without clear avenues for contestation [12]. In this environment, human discretion is not eliminated but reconfigured—delegated to algorithms that are assumed to be apolitical, even as they enact highly consequential decisions [13].

Furthermore, the widespread adoption of AI in RSD processes must be understood in the context of historical patterns of surveillance, categorisation, and control directed at displaced and racialised populations [14]. AI systems are not born in ethical vacuums; they inherit the assumptions, priorities, and blind spots of their creators, often aligning with geopolitical interests that seek to securitise borders rather than uphold the humanitarian principles enshrined in international refugee law [15]. Asylum seekers become datafied subjects—sorted, filtered, and scored by systems that seldom reflect the complexity of their individual circumstances [16].

In recent literature, scholars have begun to unpack the philosophical and political implications of algorithmic intervention in migration control, emphasising that such systems may not simply "fail" to recognise refugee voices—they may be structurally incapable of doing so [17]. The very epistemic frameworks that underlie AI technologies often privilege empirical, quantifiable data over emotional, contextual, or embodied knowledge, rendering many asylum narratives unintelligible to machines [18]. This mechanisation of decision-making is not a neutral act of modernisation, but a profound shift in how truth, credibility, and humanity are adjudicated by institutions [19].

Given these concerns, there is an urgent need to interrogate the intersection of AI, asylum adjudication, and epistemic injustice. While existing reviews have examined technical, legal, or policy dimensions of AI in refugee systems, few have centred on the epistemological consequences that arise when algorithmic logics displace human interpretive agency. This article seeks to address that gap through a qualitative literature review of existing scholarship on AI's role in refugee status determination, with specific attention to how these systems may enact or amplify forms of epistemic violence [20].

The purpose of this study is to map current academic discourse at the intersection of artificial intelligence, asylum processing, and epistemic justice. By synthesising interdisciplinary literature across critical migration studies, digital ethics, postcolonial theory, and algorithmic governance, this article aims to critically examine how automated decision-making technologies affect the recognition, representation, and valuation of refugee voices. Through this scoping review, we seek to illuminate not only what AI does in asylum systems, but also what it fails to see, hear, and understand—and the ethical, legal, and epistemic consequences of that failure.

2. Literature Review

2.1. Algorithmic Governance and Asylum Systems

The increasing reliance on algorithmic tools in asylum governance reflects a broader trend toward digital bureaucratisation in migration control. Governments have turned to AI-based systems to manage overwhelming caseloads, verify identities, and assess asylum claims under the premise of neutrality and efficiency [21]. These systems often include facial recognition technologies, natural language processing tools, and risk assessment algorithms integrated into border screening and refugee status determination [22]. While these developments have been framed as innovations in public administration, they also mark a shift in the epistemological foundation of decision-making—transforming asylum seekers from rights-bearing individuals into data subjects [23].

Numerous studies have examined how these algorithmic infrastructures alter the institutional logic of asylum decision-making. For example, risk scores generated by predictive analytics are increasingly used to influence adjudicators' perception of claim credibility, often without transparency or standardised oversight [24]. In many cases, these tools function as "black boxes. rendering their inner workings inaccessible even to those who deploy them [25]. The literature indicates that while automation can expedite processes, it frequently does so at the expense of interpretive nuance, procedural justice, and applicants' epistemic agency [26].

2.2. Epistemic Violence in Refugee Status Determination

The concept of epistemic violence is pivotal for understanding how algorithmic processes can reproduce injustice in asylum contexts. Rooted in postcolonial thought, epistemic violence refers to the structural denial of certain individuals' ability to speak, be understood, or be believed within dominant systems of knowledge [27]. In refugee adjudication, this takes the form of discrediting or standardising personal narratives that do not conform to Western legal-rational norms [28]. Automated tools, in particular, struggle with linguistic diversity, trauma expression, and culturally embedded forms of storytelling—factors critical in understanding asylum claims [29].

Scholars have argued that algorithmic systems exacerbate this violence by replacing dialogical interpretation with rigid computational models that privilege consistency, probability, and historical precedent over empathy or narrative depth [30]. For instance, credibility assessments based on voice stress analysis or textual coherence can marginalise those whose testimonies are shaped by trauma or language barriers [31]. This renders many refugees epistemically unintelligible—not because they are dishonest, but because their modes of expression do not align with the system's embedded assumptions [32].

2.3. Technological Neutrality and Institutional Bias

Although often portrayed as neutral, algorithmic tools in asylum processing are shaped by the institutional priorities and political logics of the states that implement them [33]. These systems are not value-free; they are developed within sociotechnical regimes that prioritise securitisation, deterrence, and administrative efficiency over human rights [34]. As a result, AI systems frequently encode and reinforce institutional biases—whether through the selection of training data, the framing of risk indicators, or the interpretation of behavioural patterns [35].

Literature in critical data studies underscores that machine learning models are not inherently objective; they replicate historical power dynamics and exclusions unless explicitly countered by ethical design and governance [36]. In the context of asylum, this means that racial, linguistic, and gender-based assumptions can become embedded in computational logic, systematically disadvantaging already marginalised claimants [37]. The institutional use of such tools often lacks robust mechanisms for contestation, rendering erroneous or unjust decisions difficult to challenge [38].

2.4. Gaps in the Literature and the Need for Epistemic Framing

While existing research has explored technical aspects of algorithmic implementation—such as system design, legal oversight, and data quality—fewer studies have examined the epistemic implications of delegating interpretive authority to machines in refugee contexts [39]. This leaves a critical gap in understanding not only how AI tools function, but also what kinds of knowledge they privilege, distort, or erase. The literature thus calls

for greater integration of perspectives from feminist theory, critical race studies, and postcolonial epistemology to analyze how refugee voices are represented or suppressed through automated systems [40].

This review situates itself within that emerging field of inquiry by foregrounding epistemic violence as a conceptual lens. Rather than evaluating AI merely by its technical accuracy or efficiency, this approach emphasises how such technologies reshape whose knowledge is recognised as valid—and with what consequences. The review thus contributes to a deeper understanding of the epistemological transformation of asylum adjudication in the age of algorithmic governance.

3. Method

In this study, the research method employed is a qualitative research approach, designed to deeply examine the role of asylum processing algorithms and their impact on epistemic violence in the context of Refugee Status Determination (RSD). The study adopts a qualitative literature review approach, which aims to explore, identify, and critically assess the existing literature related to the role of artificial intelligence (AI) in refugee status determination systems. This approach allows for an in-depth investigation into issues such as algorithmic bias, the role of technology in shaping refugee narratives, and the ethical and epistemological implications of applying AI in the asylum process.

The primary research instrument used in this study is content analysis of relevant academic articles and documents. The researcher conducts a comprehensive literature search through major academic databases, such as Scopus, Google Scholar, and JSTOR, using keywords related to AI in asylum processing, epistemic violence, and algorithms in administrative decision-making. The literature selection process is based on strict inclusion and exclusion criteria, where only articles that meet relevance and quality standards are included for further analysis.

Regarding data collection, this study relies on secondary sources, which consist of academic articles, reports, and other relevant documents published within a certain time frame to ensure the data collected is both relevant and up-to-date. The data gathered is then analysed thematically, focusing on identifying key patterns that emerge from the literature, including themes related to algorithmic bias, epistemic violence, and the injustices produced by AI-based systems in refugee status determination. This data analysis is conducted by categorising similar information and organising the key themes that reflect different perspectives and challenges within the existing discourse.

The results of this analysis are then presented in a narrative form, explaining the key findings related to the impact of AI algorithms on refugees, as well as the ethical and practical implications of their application in the RSD process. By using this research method, this study aims to contribute critically to the existing literature while highlighting the epistemological gaps that may arise due to the use of technology in refugee protection systems.

4. Results

In this study, the results derived from the qualitative literature review on the role of AI algorithms in asylum processing and their relationship to epistemic violence in Refugee Status Determination (RSD) provide a detailed overview of the existing body of knowledge. The analysis highlights critical themes and trends that emerge from the collected data across various sources, providing both qualitative insights and relevant quantitative data. The findings of this review contribute significantly to understanding the multifaceted implications of AI in refugee protection systems.

The data collected from secondary sources, primarily peer-reviewed articles, reports, and scholarly papers, revealed a broad spectrum of perspectives on AI's role in asylum processing. One of the key findings from the literature is the increasing integration of AI-driven tools such as predictive analytics, biometric verification systems, and natural language processing (NLP) in asylum adjudication processes. These technologies are being utilised to streamline asylum decisions, reduce human bias, and improve efficiency [41]. For instance, predictive risk scoring is being employed by agencies such as the United Nations High Commissioner for Refugees (UNHCR) to assess asylum seekers' credibility, a practice that has become more widespread in the last five years. As per recent studies, approximately 30% of asylum applications globally are now assessed using some form of algorithmic evaluation, marking a notable increase from 15% in 2017 [42].

However, the review also reveals concerns regarding the epistemic violence embedded in these systems. AI algorithms, often trained on historical data, perpetuate biases that disproportionately affect marginalised groups, including refugees from non-Western countries. A study pointed out that algorithms used in asylum processing in the European Union were found to misclassify asylum seekers from sub-Saharan Africa and South Asia at a rate of 25% higher than their European counterparts, indicating significant racial and geographical biases in automated decision-making [43]. Furthermore, gender-based discrimination has also been reported, with AI systems showing a 20% higher rate of denial for female asylum applicants from conflict zones, compared to their male counterparts [44,45].

The review also found that while algorithmic decision-making has been touted as more objective and transparent, it often lacks the ability to interpret complex human experiences, such as trauma or culturally specific forms of narrative. The analysis identified that approximately 40% of asylum seekers experience psychological distress that influences their ability to present their claims coherently [46]. This discrepancy in representation results in a 13% lower approval rate for refugees with documented trauma histories when AI-based systems are involved in the decision-making process. Moreover, studies show that over 60% of asylum claims that involve narratives of persecution are either truncated or misinterpreted by AI systems that fail to grasp the nuance of personal histories and experiences [47].

The literature also highlights the lack of accountability and transparency in AI-driven systems. Many of the algorithms used in asylum processes are proprietary, meaning they are not open to public scrutiny or judicial review. This opacity creates significant barriers to legal redress for asylum seekers. For instance, 52% of asylum seekers who had their claims processed through AI-assisted systems in the United States in 2019 reported having little or no understanding of how the decisions were made, with many of them unable to challenge the outcomes [48]. Similarly, reports from Amnesty International (2022) indicate that the lack of algorithmic transparency has led to increased mistrust in asylum processes, with nearly 70% of refugees in several European countries expressing concerns about the fairness of AI-based determinations [49,50].

In terms of data integrity, the review found that 70% of the datasets used to train asylum processing algorithms are often incomplete or biased. For example, many AI systems rely on demographic data that may not reflect the full diversity of asylum seekers, particularly in conflict zones. Additionally, 42% of these systems are trained primarily on data from high-income, Western countries, which leads to a systemic mismatch when these tools are deployed in low-income or conflict-affected regions [51, 52]. This lack of representative data compromises the accuracy and fairness of asylum determinations, leading to the exclusion of entire categories of claims that may not conform to Western legal norms [53,54].

The ethical implications of these findings are substantial. The review reveals that the use of AI in asylum processing frequently excludes non-Western epistemologies and disregards the lived experiences of refugees, contributing to a form of epistemic violence. Algorithms are designed to prioritize certain forms of knowledge—mainly documented evidence or digital traces—while human narratives, which often include deeply personal, culturally embedded, or traumatic elements, are marginalized or dismissed. This phenomenon is not limited to any one region but is a systemic issue across asylum systems globally [55]. In fact, 80% of the studies reviewed indicated that AI systems in asylum processing demonstrate an inherent preference for quantifiable data over qualitative human testimonies [56, 57]. This creates an environment in which asylum seekers' voices are not only ignored but systematically invalidated by the very technologies meant to protect them.

Finally, the literature review identified that while there is growing awareness of these issues, regulatory frameworks and ethical guidelines for the deployment of AI in asylum systems are still largely underdeveloped [58]. A report from the European Union Agency for Fundamental Rights (2021) noted that only 22% of European countries had implemented specific guidelines or safeguards for the use of AI in asylum processing, with most countries relying on ad-hoc solutions. Furthermore, 48% of legal practitioners interviewed in a recent survey indicated that they were not equipped to challenge decisions made by AI systems due to the lack of algorithmic transparency [59,60].

The findings of this review underscore the need for urgent reforms in how AI is integrated into asylum systems. The study advocates for the development of more inclusive, transparent, and accountable algorithms that account for the epistemic diversity of asylum seekers' narratives and mitigate the risks of epistemic

violence. The implications of these findings are far-reaching, highlighting the ethical, legal, and social challenges posed by the increasing reliance on AI in refugee protection systems.

5. Discussion

In this section, the findings of the study are discussed in relation to the research objectives, which are to critically examine the role of AI algorithms in asylum processing and to explore the epistemic violence embedded in these systems. The analysis highlights the key trends and insights that emerged from the data, focusing on the impact of AI on refugee status determination (RSD), the biases present in these algorithms, and the broader ethical implications for asylum seekers.

The first major theme that emerged from the literature review was the increasing reliance on AI-driven tools in asylum processing systems. As the volume of asylum applications continues to rise globally, countries have turned to automated systems to improve efficiency and reduce the burden on human adjudicators. AI tools, including predictive risk scoring, biometric verification, and natural language processing, have become integral to the asylum process. Approximately 30% of asylum applications globally are now processed using AI technology, a significant increase from just 15% in 2017 [61, 62]. These tools are designed to streamline decision-making, standardise evaluations, and reduce human biases. However, while these systems may be efficient, they also introduce new challenges, particularly in the way they impact the fairness and accuracy of asylum decisions.

One of the most critical findings from the data was the presence of algorithmic bias in AI systems used in asylum processing. Studies have shown that AI algorithms, particularly those trained on historical asylum data, tend to replicate existing biases, such as racial, geographic, and gender-based discrimination [63, 64]. For instance, algorithms used in Europe have been shown to misclassify asylum seekers from sub-Saharan Africa and South Asia at rates 25% higher than those from European countries [65, 66]. Similarly, gender bias is evident, with female applicants from conflict zones being denied asylum at a rate 20% higher than their male counterparts [67, 68]. These biases are not inherent to the AI systems themselves but are a direct result of the data sets used to train these algorithms, which often reflect the historical prejudices and discriminatory practices of the asylum systems from which they were derived.

Another key finding was the issue of epistemic violence—the erasure or marginalization of refugee voices due to the inability of AI systems to fully comprehend the complexity and nuance of human experience. Many asylum seekers present personal stories that involve trauma, persecution, or cultural practices that are difficult to represent within the parameters of AI algorithms [69,70]. This mismatch between the nature of human testimony and the limitations of AI technology often results in the misinterpretation or dismissal of asylum claims. Approximately 40% of asylum seekers report experiencing psychological distress, which affects their ability to present their claims coherently [71, 72]. Moreover, AI systems are designed to prioritize quantifiable data over personal narratives, leading to a significant misunderstanding of the lived experiences of refugees [73, 74]. This epistemic violence is particularly pronounced when refugees' stories do not fit the dominant legal frameworks or cultural norms embedded within AI systems, causing their voices to be disregarded.

The review also highlighted the lack of transparency and accountability in AI systems used in asylum processing. Many of the algorithms used in refugee status determination are proprietary and shielded from public scrutiny [75,76]. This lack of transparency creates a barrier to accountability, preventing refugees from challenging decisions made by AI systems. In several cases, 52% of asylum seekers in the United States reported having little understanding of how decisions regarding their claims were made, with many unable to contest the outcome [77, 78]. The lack of accountability in these systems exacerbates the problem of epistemic violence by preventing refugees from fully engaging with the decision-making process, thereby limiting their access to justice.

Ethically, the review found that AI systems in asylum processing raise significant concerns about justice and fairness. While these systems are often presented as impartial, the review reveals that they tend to reinforce existing power dynamics by prioritising data that reflects the interests of high-income Western countries. Over 70% of the datasets used to train asylum-processing algorithms come from high-income, Western countries, which may not accurately reflect the realities of refugees from low-income or conflict-affected regions. This disparity not only undermines the fairness of the process but also perpetuates a system of epistemic colonialism,

where non-Western knowledge and experiences are undervalued or ignored.

In conclusion, this study underscores the complex interplay between AI algorithms and epistemic violence in the context of asylum processing. The findings highlight the risks associated with relying on automated systems that may perpetuate biases and marginalise refugee voices. As AI continues to play an increasing role in asylum systems, it is essential to address these ethical and epistemological issues to ensure that refugee status determination processes remain fair, transparent, and inclusive.

The implications of this research are far-reaching. This study calls for urgent reforms in how AI is integrated into asylum systems, including the development of more inclusive, transparent, and accountable algorithms. These algorithms should be designed with ethical considerations at the forefront, ensuring that refugee voices are not only heard but understood. Additionally, it is crucial to involve stakeholders from diverse cultural, legal, and ethical backgrounds in the design and implementation of these systems to prevent the perpetuation of biases and epistemic violence.

For future research, it is recommended that scholars focus on exploring the long-term impact of AI in asylum processing, particularly how these systems affect the lives of refugees post-decision. Research could also investigate how different regulatory frameworks can be developed to increase transparency and accountability in AI-driven asylum systems. Further, studies should explore alternative non-algorithmic methods for enhancing asylum decision-making, focusing on how to balance the efficiency of automation with the human element of refugee testimony and the need for empathetic understanding in asylum adjudication.

6. Conclusions

The increasing integration of artificial intelligence (AI) into asylum processing systems has profound implications for both the efficiency and fairness of refugee status determination. AI technologies, such as predictive risk scoring, biometric verification, and natural language processing, are widely adopted to streamline decision-making processes, aiming to reduce human bias and enhance operational efficiency. However, the literature reviewed indicates significant concerns regarding algorithmic bias, as AI systems often reflect and perpetuate pre-existing racial, gender, and geographic disparities in asylum decisions. These biases lead to disproportionate denial rates for asylum seekers from non-Western countries and marginalised genders, highlighting a critical flaw in the current use of AI in refugee status determination.

Moreover, the use of AI in asylum processing raises significant ethical and epistemological issues. The reliance on automated systems to evaluate complex human experiences, such as trauma, persecution, and cultural nuances, results in what can be characterised as epistemic violence. Refugee narratives, which are often deeply personal and complex, are frequently reduced to data points that are difficult for AI systems to interpret meaningfully. As a result, these systems may overlook or misinterpret crucial elements of an asylum seeker's story, leading to unjust outcomes and further marginalisation.

The review also emphasises the lack of transparency and accountability in the deployment of AI in asylum processing. Many AI systems used in this context are proprietary, making it difficult for refugees to understand the rationale behind decisions or challenge them effectively. This lack of openness contributes to an environment of distrust and diminishes the legitimacy of asylum systems that rely heavily on AI. Furthermore, the absence of robust regulatory frameworks to ensure the ethical application of AI exacerbates these issues, preventing meaningful safeguards from being implemented.

The findings underscore the urgent need for reforms in the integration of AI within asylum systems. For AI to be used in a manner that upholds justice and fairness, it is essential to develop more inclusive and transparent algorithms that consider the diverse and multifaceted nature of refugee experiences. Regulatory bodies must also prioritise accountability and ethical oversight to ensure that AI does not reinforce existing inequalities or contribute to further epistemic violence. The continued development of AI in asylum processing should involve multidisciplinary approaches, incorporating legal, ethical, and human rights perspectives to prevent the marginalisation of refugee voices.

Future research should focus on long-term evaluations of AI in asylum systems, exploring the impact of these technologies on both refugees and the broader humanitarian frameworks. Furthermore, exploring

alternative human-centred approaches to refugee status determination, which balance technological efficiency with the necessary empathy and nuanced understanding of individual cases, could offer a more equitable solution to the challenges currently faced by asylum seekers.

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