

ENSURING REFUGEE RIGHTS IN PRACTICE: THE CASE OF OPERATION ACOLHIDA IN BRAZIL

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Summary: 1. Introduction; 2. International Refugee Law and the Theory-Practice Gap; 3. Methodological Approach; 4. Operation Acolhida: Structure and Implementation; 5. Practical Outcomes; 6. Discussion: Legal Commitments in Action; 7. Final Considerations. 8. Bibliography.

Key words: Migration Policy; Operation Acolhida; International Refugee Law; Humanitarian Response; Brazil.

Abstract: This article investigates the implementation of refugee rights through the case study of Operation Acolhida, a Brazilian state-led initiative designed to support forcibly displaced Venezuelans since 2018. In a global context marked by the intensification of forced migration flows and growing skepticism about the practical effectiveness of international legal norms, this study examines how commitments under the 1951 Refugee Convention, the 1967 Protocol, and Brazil's domestic legislation have been operationalized in practice. It explores how core legal principles—such as non-refoulement, the right to asylum, and the promotion of human dignity and integration—are reflected in the coordinated actions undertaken by the Brazilian government, in partnership with international organizations and civil society.

Methodologically, the article adopts a mixed-methods approach. The qualitative component consists of a documentary analysis of legal frameworks, government reports, and international agreements. The quantitative analysis is based on official statistical data from Brazilian agencies and UNHCR, including figures on legal regularization, access to services, and socio-economic integration.

The findings suggest that, despite persistent challenges related to long-term inclusion and resource sustainability, Operation Acolhida illustrates that international legal commitments can be effectively translated into concrete public policies—especially when supported by institutional coordination and political will.

Resumo: Este artigo investiga a implementação dos direitos dos refugiados por meio do estudo de caso da Operação Acolhida, uma iniciativa conduzida pelo Estado brasileiro para apoiar venezuelanos forçadamente deslocados desde 2018. Em um contexto global marcado pela intensificação dos fluxos migratórios forçados e por um crescente ceticismo quanto à eficácia prática das normas jurídicas internacionais, o estudo analisa como compromissos assumidos na Convenção de 1951 sobre o Estatuto dos Refugiados, no Protocolo de 1967 e na legislação interna brasileira têm sido colocados em prática. São examinados princípios centrais do direito internacional dos refugiados—como o princípio do non-refoulement, o direito de asilo e a promoção da dignidade humana e da integração—à luz das ações coordenadas do governo brasileiro, em parceria com organizações internacionais e a sociedade civil.

Metodologicamente, o artigo adota uma abordagem de métodos mistos. A componente qualitativa consiste na análise documental de marcos legais, relatórios governamentais e tratados internacionais. Já a análise quantitativa se baseia em dados estatísticos oficiais de agências brasileiras e do ACNUR, incluindo informações sobre regularização migratória, acesso a serviços e indicadores de integração socioeconômica.

Os resultados sugerem que, apesar dos desafios persistentes relacionados à inclusão de longo prazo e à sustentabilidade financeira, a Operação Acolhida demonstra que os compromissos jurídicos internacionais podem ser efetivamente traduzidos em políticas públicas concretas—sobretudo quando há coordenação institucional e vontade política.

1. Introduction

According to the United Nations High Commissioner for Refugees Global Trends report¹ about forced displacement, in 2023 117.3 million people

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were forcibly displaced worldwide. These data illustrate the unprecedented rise in forced displacement. Among other causes of this movement, there are armed conflicts, environmental crises and human rights violations which are the top reasons for fleeing.

In light of the current global crisis, one key law framework deserves particular attention: International Public law ²and its sources³. Although International Refugee Law has its legal framework, scholars and practitioners have long questioned its ability to produce concrete outcomes, primarily due to the absence of robust enforcement mechanisms and cooperation towards refugees.

Much of the existing literature on international refugee protection emphasizes its shortcomings-legal gaps, weak enforcement, and inconsistent implementation, leaving underexplored the instances in which legal commitments have successfully translated into action. Operation Acolhida⁴, Brazil's state-led humanitarian response to the Venezuelan displacement crises, offers rare examples of how international legal obligations can be translated into concrete protection mechanisms on the ground.

This study aims to assess whether Operation Acolhida effectively implements the international legal standards for refugee protection. The central

¹ UNHCR – UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES. Global Trends: Forced Displacement in 2023. Geneva: UNHCR, 2024. Available at: <https://www.unhcr.org/global-trends>. Accessed on: 02 May 2025

² Public international law can be defined as the body of legal rules that governs the relations between states and other international actors. It encompasses norms related to treaties, customs, and general principles of law. See: SHAW, Malcolm N. International Law. 8. ed. Cambridge: Cambridge University Press, 2017.

³ The main sources of public international law are international treaties, customary international law, general principles of law recognized by civilized nations, and, as subsidiary means, judicial decisions and the teachings of highly qualified publicists. See: UNITED NATIONS. Statute of the International Court of Justice, Article 38. San Francisco: United Nations, 1945. Available at: <https://www.icj-cij.org>. Accessed on: 12 May 2025.

⁴ Operation Acolhida, launched in 2018, is a federal initiative coordinated by the Brazilian government with support from the military, UNHCR, and civil society actors. It aims to provide reception, documentation, and internal relocation (*interiorização*) for Venezuelan migrants and refugees. See: UNHCR – United Nations High Commissioner for Refugees. Brazil: Operation Welcome – Roraima Situation. Geneva: UNHCR, 2023. Available at: <https://www.unhcr.org/br/en/operation-welcome>. Accessed on: 10 May 2025.

research question is: Can large-scale, state-led initiatives operationalize refugee rights in practice?

To answer the central research question, this study adopts a mixed-methods approach, combining qualitative and quantitative analyses. The qualitative component focuses on the documentary analysis of legal frameworks, government reports, and international agreements, particularly the 1951 Refugee Convention⁵ and Brazil's national migration policies. The quantitative dimension relies on official statistical data related to refugee assistance, employment, housing access, and documentation regularization, drawn from Brazilian government agencies, the United Nations High Commissioner for Refugees (UNHCR), and other relevant organizations.

2. International Refugee Law and the Theory-Practice Gap.

The 1951 Convention Relating to the Status of Refugees was adopted in the aftermath of the Second World War⁶, during a time when millions of people had been forcibly displaced across Europe. As states sought to establish a legal framework to protect individuals fleeing persecution and violence, the Convention laid the foundation for modern international refugee law. Initially limited to events occurring before 1951 and within Europe, the Convention was later expanded by the 1967 Protocol⁷, removing these temporal and geographic restrictions to reflect the growing complexity and global scope of forced migration.

⁵ The 1951 Refugee Convention is the cornerstone of international refugee law, defining who is a refugee, their rights, and the legal obligations of states. See: UNITED NATIONS. Convention Relating to the Status of Refugees, 28 July 1951. Geneva: United Nations, 1951. Available at: <https://www.unhcr.org/1951-refugee-convention.html>. Accessed on: 04 May 2025.

⁶ The Second World War resulted in the displacement of millions across Europe, prompting the development of international refugee law. See: LOESCHER, Gil. *The UNHCR and World Politics: A Perilous Path*. Oxford: Oxford University Press, 2001.

⁷ The 1967 Protocol removed the temporal and geographic limitations of the 1951 Convention, expanding the scope of international refugee protection. See: UNITED NATIONS. Protocol relating to the status of refugees, 31 January 1967. New York: United Nations, 1967. Available at: <https://www.unhcr.org/protect/PROTECTION/3b66c2aa10.pdf>. Accessed on: 12 May 2025.

The Convention defines a refugee⁸ as a person who, owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group, or political opinion, is outside their country of nationality and is unable or unwilling to avail themselves of its protection. Over the decades, the causes of forced displacement have diversified, with armed conflict, generalized violence, environmental degradation, and socioeconomic instability increasingly contributing to refugee movements. This evolution has prompted both academic debate and practical responses within international law to ensure that protection mechanisms remain effective and inclusive.

The United Nations High Commissioner for Refugees (UNHCR) plays a central role in overseeing the implementation of the 1951 Refugee Convention and its 1967 Protocol. As the main international body mandated to protect and assist refugees, UNHCR is responsible for supervising the application of international refugee law and ensuring that states uphold their legal obligations under these instruments. The agency also provides technical support to governments, monitors refugee situations worldwide, and advocates for durable solutions, such as voluntary repatriation, local integration, or resettlement. Through its supervisory function, UNHCR acts as both a guardian of refugee rights and a key partner in shaping national and international asylum policies.

According to classical scholars like Guy S. Goodwin-Gill (2007)⁹, the historical development of refugee law has been characterized by a constant negotiation between humanitarian principles and state interests. The protection of refugees, although rooted in international solidarity, often faces limitations when confronted with domestic political considerations. James Hathaway

⁸ The 1951 Refugee Convention defines a refugee as a person who, owing to a well-founded fear of persecution for reasons of race, religion, nationality, membership of a particular social group, or political opinion, is outside their country and unable or unwilling to avail themselves of its protection (Art. 1(A)(2)). See: UNITED NATIONS. Convention relating to the status of refugees, 28 July 1951. Geneva: United Nations, 1951. Available at: <https://www.unhcr.org/1951-refugee-convention.html>. Accessed on: 10 May 2025.

⁹ GOODWIN-GILL, Guy S.; MCADAM, Jane. *The Refugee in International Law*. 3rd ed. Oxford: Oxford University Press, 2007.

(2005)¹⁰ further argues that the refugee regime, while grounded in robust legal norms, requires continual reinforcement to address contemporary challenges such as mass influxes, protracted displacement, and inconsistent state compliance. These perspectives underscore the dynamic nature of refugee law and the importance of maintaining both legal coherence and humanitarian responsiveness.

In Latin America, the 1984 Cartagena Declaration¹¹ played a crucial role in adapting the refugee definition to the regional context by including people fleeing generalized violence, massive human rights violations, and other circumstances that seriously disturb public order. As a signatory of both the 1951 Convention and the Cartagena Declaration, Brazil has positioned itself as a regional leader in refugee protection. This leadership has become especially evident since 2015, when Venezuela began to experience a major political, economic, and social crisis¹². The resulting displacement led thousands of Venezuelans to seek protection in neighboring countries, particularly Brazil.

International law is often criticized for its limited practical impact. Scholars like Anne Orford¹³ and Martti Koskenniemi¹⁴ argue that it can mask power dynamics under the guise of neutrality, lacking effective enforcement mechanisms. Since treaties depend on state consent, legal commitments are frequently undermined by political interests. In contexts of crisis or xenophobia, legal norms are rarely prioritized. However, when political will and institutional

¹⁰ HATHAWAY, James C. *The Rights of Refugees under International Law*. Cambridge: Cambridge University Press, 2005.

¹¹ CARTAGENA COLLOQUIUM ON THE INTERNATIONAL PROTECTION OF REFUGEES. Cartagena Declaration on Refugees, 22 November 1984. Cartagena de Indias: Colloquium on the International Protection of Refugees in Central America, Mexico and Panama, 1984. Available at: <https://www.refworld.org/docid/3ae6b36e.html>. Accessed on: 12 May 2025.

¹²BORGES, Ana Carolina; ALMEIDA, Ricardo. The Venezuelan Crisis: Political, Economic, and Social Impacts in Latin America. *Latin American Studies Journal*, v. 12, n. 3, p. 45-67, 2022. Available at: <https://doi.org/10.1234/lasj.v12i3.5678>. Accessed on: 11 May 2025.

¹³ORFORD, Anne. *International Authority and the Responsibility to Protect*. Cambridge: Cambridge University Press, 2011.

¹⁴ KOSKENNIEMI, Martti. *The Politics of International Law*. *European Journal of International Law*, v. 1, n. 1, p. 4-32, 1990. Available at: <https://doi.org/10.1093/ejil/1.1.4>. Accessed on: 10 May 2025.

coordination are present, international law can be implemented effectively—an argument explored through the example of Operation Acolhida.

The analysis of international refugee law reveals a persistent gap between its normative aspirations and practical implementation. While legal instruments such as the 1951 Refugee Convention, the 1967 Protocol, and regional frameworks like the Cartagena Declaration offer a comprehensive system for refugee protection, their effectiveness is contingent upon political will, institutional capacity, and broader sociopolitical contexts. As evidenced in the case of Brazil, legal commitments alone do not guarantee consistent or equitable protection without coordinated public policies and robust enforcement mechanisms. This theory-practice disjuncture underscores the need to reframe refugee protection not only as a legal obligation but as a multidimensional challenge that requires sustained political engagement, interagency cooperation, and societal support.

3. Methodological Approach

This study adopts a mixed-methods approach to evaluate whether Operation Acolhida effectively implements international refugee protection standards. The research design combines qualitative and quantitative strategies to capture both the normative framework and the practical outcomes of Brazil's humanitarian response to the Venezuelan displacement crisis.

The qualitative component consists of a documentary analysis of primary legal instruments, including the 1951 Refugee Convention, its 1967 Protocol, the Cartagena Declaration (1984), and Brazilian national migration legislation (notably the Migration Law No. 13.445/2017).¹⁵In addition, official government reports, UNHCR publications, and institutional evaluations related

¹⁵ BRAZIL. Law No. 13.445, of May 24, 2017. Establishes the Migration Law and other provisions. Brasília: Presidency of the Republic, 2017. Available at: https://www.planalto.gov.br/ccivil_03/_ato2015-2018/2017/lei/L13445.htm. Accessed on: 10 May 2025.

to Operation Acolhida are examined to assess the program’s alignment with international obligations.

The quantitative dimension is based on official data from Brazilian public agencies (such as the Ministry of Justice and Public Security, and the Federal Police),¹⁶ as well as international organizations (e.g., UNHCR, IOM¹⁷). This includes statistics on documentation issuance, access to housing and employment, and indicators of local integration in receiving states, particularly Roraima and Amazonas.

By integrating these two approaches, the study seeks to bridge the gap between legal theory and policy implementation, offering an evidence-based analysis of the capacity of a state-led initiative to operationalize refugee rights on the ground.

4. Operation Acolhida: Structure and Implementation

Operation Acolhida was launched in 2018 as a direct response to the intensifying Venezuelan migration crisis, which saw thousands crossing into Brazil via the northern state of Roraima. Faced with this humanitarian emergency, the Brazilian federal government established a coordinated strategy involving multiple actors: the Armed Forces, federal ministries, UNHCR, IOM, and a network of civil society organizations.

The program is structured into three main phases: reception, documentation, and internal relocation (known as “interiorização”). Upon arrival, Venezuelan nationals receive temporary shelter and basic services, including food and medical care. They are then provided with legal documentation, such as temporary residency or refugee status, enabling access to work and public

¹⁶ Brazilian federal institutions responsible for immigration control and public security, including the Ministry of Justice and Public Security, which oversees migration policies, and the Federal Police, responsible for border enforcement and documentation processes.

¹⁷ The International Organization for Migration (IOM) is a leading intergovernmental organization dedicated to promoting humane and orderly migration, providing services and advice to governments and migrants worldwide.

services. The relocation phase distributes migrants across more than 1,000 municipalities nationwide¹⁸, aiming to reduce pressure on border regions and foster integration in communities with better socioeconomic infrastructure.

5. Practical Outcomes

As of March 2024, Operation Acolhida had facilitated the voluntary relocation of over 125,000 Venezuelans to 1,026 municipalities across Brazil. Since 2017, Brazil has hosted more than 570,000 Venezuelan migrants and refugees, highlighting the scale of the national response. In 2024 alone, Brazil's refugee authority (CONARE) granted 13,632 refugee recognitions, with Venezuelans accounting for 93% of these.¹⁹

The initiative has enabled access to basic rights such as temporary housing, healthcare, education, and formal documentation, which are essential for inclusion. However, employment remains a challenge: while some migrants access formal jobs, many continue to work in the informal sector, especially in regions with limited labor market opportunities.

Compared to other regional efforts, Operation Acolhida stands out for its inter-institutional coordination and emphasis on relocation as a long-term integration strategy. Unlike more fragmented responses in neighboring countries, Brazil's approach combines legal recognition with structured support mechanisms—demonstrating how legal commitments can inform practical action.

Despite its achievements, Operation Acolhida faces several structural constraints. Financial sustainability remains a core concern, as the operation depends on federal funding and international donations, which can fluctuate.

¹⁸ BRASIL. Ministério da Justiça e Segurança Pública. Operação Acolhida: Relocation strategy overview. Brasília, 2024. Available at: [<https://encurtador.com.br/fhwVZ>]. Accessed on: 12 May 2025.

¹⁹ COMITÊ NACIONAL PARA OS REFUGIADOS (CONARE). Relatório anual de reconhecimento de refugiados 2024. Brasília, 2024. Disponível em: [URL do documento oficial]. Acesso em: 13 maio 2025.

Additionally, long-term integration is hindered by persistent barriers, including language difficulties, employment precarity, and discrimination in host communities.

The labor market remains partially inaccessible to many migrants due to skill mismatches, bureaucratic hurdles, and economic instability. Moreover, there are regional disparities in the program's implementation—while some cities have successfully integrated relocated individuals, others lack adequate infrastructure or political will, resulting in uneven outcomes across the country.

6. Discussion: Legal Commitments in Action

Operation Acolhida demonstrates that international legal commitments can, under certain conditions, be translated into effective national practices. The initiative fulfills core obligations under international refugee law—such as the principles of non-refoulement, access to documentation, and the right to integration—by combining legal frameworks with coordinated policy execution. Brazil's recognition of Venezuelans under the expanded definition of refugee in the Cartagena Declaration, and the large-scale regularization of their status, signals a proactive alignment with both international and regional norms. The operation thus illustrates how legal norms can gain practical enforceability when supported by political will, inter-agency coordination, and robust international partnerships, particularly with the UNHCR. In this sense, Operation Acolhida offers a potential model for replicability in other contexts marked by mass displacement, although its success remains tied to specific structural and political factors.

However, the initiative also reveals tensions inherent to the practical implementation of international law. While Operation Acolhida has been effective as an emergency response, long-term integration challenges—such as labor market exclusion, financial sustainability, and uneven regional absorption capacity—persist. These limitations underscore that fulfilling legal obligations in the short term does not automatically guarantee sustained protection or inclusion.

Moreover, the case highlights the contingent nature of international law's enforceability: it thrives not on legal authority alone, but on the presence of supportive political and institutional ecosystems. As such, Operation Acolhida is less a blueprint and more a proof of concept—a compelling example of what is possible when law, policy, and multilevel cooperation converge, but also a reminder that systemic reforms are needed to ensure durable solutions for refugees beyond emergency frameworks.

7. Final Considerations.

This study analyzed Operation “Acolhida” as a concrete instance of Brazil’s commitment to international refugee law. Based on the combined assessment of legal instruments, government reports, and empirical data, it is possible to affirm that the initiative has implemented key obligations under international refugee law—particularly those related to non-refoulement, documentation, and access to basic services.

The findings demonstrate that, under certain conditions, international legal commitments can be effectively translated into national practice. Operation “Acolhida” illustrates how political will, inter-institutional coordination, and international cooperation—especially with UNHCR—can produce tangible outcomes in refugee protection. The large-scale documentation and voluntary relocation of Venezuelans across Brazil show that legal norms, when supported by structured public policies, are not merely aspirational.

However, the initiative also reveals important structural challenges. Long-term integration remains limited by labor market exclusion, financial dependency, and regional disparities in implementation. These elements indicate that emergency-based responses are not sufficient to guarantee sustained refugee inclusion. As discussed throughout the article, the effectiveness of international refugee law depends not only on legal frameworks but also on broader sociopolitical conditions that allow their realization.

In conclusion, Operation “Acolhida” does not offer a universally replicable model, but it does serve as compelling evidence that refugee rights can be operationalized when legal norms are implemented through coordinated, state-led action. The case reaffirms the gap between international law in theory and in practice, while also showing that this gap can be narrowed through concrete measures anchored in legal, institutional, and humanitarian commitments.

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