



The Office of Secretary of State  
Securities and Charities Division

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IN THE MATTER OF

Atlanta Civil and Global Human Rights

Respondent

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Case Number: ENCH-200303

**EMERGENCY ORDER TO CEASE AND DESIST**

Pursuant to the authority of the Georgia Charitable Solicitations Act of 1988, as amended, O.C.G.A. § 43-17-1, *et seq.* (“Act”), and 590-9-1, *et seq.* of the Rules and Regulations of the State of Georgia (“Rules”), the Secretary of State of the State of Georgia (“Secretary”), has caused an investigation to be made into the acts and practices of the Atlanta Civil and Global Human Rights (“ACGHR”). As a result of the investigation, the Secretary makes the following findings of fact and conclusions of law:

**FINDINGS OF FACT**

1. ACGHR holds itself out as an Atlanta, Georgia based non-profit that is “an autonomous, voluntary non-governmental, non-partisan, non-profit organization envisioning to uphold, protect and enforce the human rights of all people around the globe for an equitable society.”

2. ACGHR is not registered to conduct business in Georgia with the Corporations Division of the Secretary. ACGHR is not registered with the Secretary as a charitable organization pursuant to O.C.G.A. § 43-17-5.

3. ACGHR’s website at <http://acghr-globalhumanrights.org/> lists its office location at “250 Peachtree St NE 3300 Atlanta, GA 30308.” The Secretary’s investigation revealed that there is no such address.

4. ACGHR’s website states that is hosting The ACGHR 2019 World Conference at “the{Atlanta [sic] Convention Center 26<sup>th</sup>-31<sup>st</sup> August 2019.” The website represents that the

World Conference's theme is "Against International Human Trafficking in Women and Children for Commercial Sexual Exploitation in the 21<sup>st</sup> century."

5. ACGHR solicited individuals, through its website and direct mailings, to attend the 2019 World Conference and required individuals to book accommodations at the Thomas Louis Hotel. ACGHR represented in its solicitations and on its website that Thomas Louis Hotel is located at "320 Peachtree st nw atlanta ga 30303 usa [sic]". The Secretary's investigation revealed that there is no such address and that the "Thomas Louis Hotel" does not exist.

6. ACGHR advertises that there is no registration fee associated with attending the World Conference, however, potential attendees must first book and pay for their hotel accommodations with Thomas Louis Hotel prior to registering for the conference.

### **CONCLUSIONS OF LAW**

7. Paragraphs 1 through 6 are incorporated by reference as though fully set forth herein.

8. The Secretary has jurisdiction over this matter pursuant to the Act. *See* O.G.C.A. §§ 43-17-10 and 43-17-11.

9. Pursuant to O.C.G.A. § 43-17-13(a)(1)(A)(i), "whenever it may appear to the Secretary of State, either upon complaint or otherwise, that any person has engaged in or is engaging in or is about to engage in any act, practice, or transaction which is prohibited by this chapter or by any rule, regulation, or order of the Secretary of State promulgated or issued pursuant to any Code section of this chapter or which is declared to be unlawful under this chapter, the Secretary of State may, at his discretion...issue a cease and desist order against any person."

10. Pursuant to O.C.G.A. § 43-17-2(2), a charitable organization is defined as "any benevolent, philanthropic, patriotic, or eleemosynary (of, relating to, or supported by charity or alms) person, as that term is defined in this Code section, who solicits or obtains contributions solicited from the general public, any part of which contributions is used for charitable purpose; and any person who or which falsely represents himself, herself, or itself to be a charitable organization as defined by this paragraph."<sup>1</sup>

11. O.C.G.A. § 43-17-3(3) defines charitable purpose as "any charitable, benevolent, philanthropic, or eleemosynary purpose for religion, health, education, social welfare, arts and

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<sup>1</sup> O.C.G.A. § 43-17-2 (13) defines person as, "an individual, a corporation, a partnership, a limited liability company, an association, a joint-stock company, a trust, or any unincorporated organization."

humanities, environment, civic, or public interest; and any purpose which is falsely represented to be a charitable purpose as defined by this paragraph.”

12. Pursuant to O.C.G.A. § 43-17-5, it is unlawful for charitable organizations to solicit or accept charitable contributions from any person located in this state, to solicit or accept charitable contributions from any person, wherever located, while in this state, or solicit or accept charitable contributions from any person, wherever located, on behalf of a charitable organization located in this state unless the charitable organization on whose behalf such contributions are being solicited or accepted is subject to an effective registration statement under this chapter or exempt from registration pursuant to O.C.G.A. § 43-17-9.

13. ACGHR is subject to the registration requirement of O.C.G.A. § 43-17-5 because it holds itself out as a charitable organization. ACGHR’s failure to register with the Secretary as a charitable organization is a violation of O.C.G.A. § 43-17-5, and therefore, ACGHR is subject to penalty under O.C.G.A. § 43-17-13.

14. Pursuant to O.C.G.A. § 43-17-12(d), “it shall be unlawful for any person in connection with the planning, conduct, or execution of any charitable solicitation or charitable sales promotion, directly or indirectly: (1) to employ a device, scheme, or artifice to defraud; (2) to engage in an act, practice, or course of business that operates or would operate as a fraud or deceit upon a person; (3) to misrepresent to mislead anyone in any manner to believe that the person on whose behalf a solicitation or charitable sales promotion is being conducted is a charitable organization or that the proceeds of such solicitation or charitable sales promotion will be used for charitable purposes if such is not the fact; or (4) to misappropriate, convert, illegally withhold, or fail to account for any charitable contributions solicited by, or on behalf of, any charitable organization required to be registered pursuant to this chapter.”

15. Pursuant to Georgia Rules and Regulations 590-9-9-5.01(3), “no person shall, in connection with the planning, conduct, or execution of any charitable solicitation or charitable sales promotion, directly or indirectly make an untrue statement of a material fact or omit to state a material fact necessary in order to make the statements made, in the light of the circumstances under which they are made, not misleading.”

16. ACGHR violated O.C.G.A. § 43-17-12(d) and Georgia Rules and Regulations 590-9-9-5.01(3) by holding itself out as a legitimate charitable organization. Based on the Secretary’s

investigation it is believed that ACGHR used the World Conference and Thomas Louis Hotel as a ruse to obtain individuals' personal and financial information.

**ORDER**

**WHEREFORE**, by the authority vested in me as the Secretary of State for the State of Georgia, **IT IS HEREBY ORDERED**:

1. The **Atlanta Civil and Global Human Rights CEASE AND DESIST** from all violations of the Georgia Charitable Solicitations Act of 1988, as amended.

The entry of the Order is deemed to be in the public interest and shall not be deemed to constitute findings or conclusions relating to other persons unrelated to Respondents and shall not be deemed to be a waiver or estoppel on the part of the Commissioner from proceeding in individual actions against any person who may have violated the Act or any transactions not specifically referred to herein or not known to the Commissioner at the time this Order was issued.

**SO ORDERED** this 8<sup>th</sup> day of July, 2019.

**BRAD RAFFENSPERGER**  
**SECRETARY OF STATE**

By: \_\_\_\_\_

  
**Noula Zaharis**  
**Director**  
**Securities and Charities Division**  
**The Office of the Secretary of State**



The Office of Secretary of State  
Securities and Charities Division

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Case Number: ENCH-200303

NOTICE OF OPPORTUNITY FOR HEARING

TO: Atlanta Civil and Global Human Rights  
[info@acghr-globalhumanrights.org](mailto:info@acghr-globalhumanrights.org)

PLEASE TAKE NOTICE that the Secretary of State of the State of Georgia (“Secretary”) has issued the Order to Cease and Desist (“Order”) attached hereto which orders **Atlanta Civil and Global Human Rights (“ACGHR” and “Respondent”)** to **CEASE AND DESIST** any and all violations of the Georgia Charitable Solicitations Act of 1988, O.C.G.A. 43-17-1, *et seq.* (“Act”). The Order is based on information known to the Secretary at the time this Notice of Opportunity for Hearing was issued, and may be amended or modified at any time prior to its entry.

Pursuant to O.C.G.A. § 43-17-16, Respondent is hereby notified that within ten (10) days after receipt of a request for a hearing in a record from Respondent, this matter will be scheduled for a hearing unless another date and time is otherwise agreed to by the parties. If Respondent does not request a hearing and none is ordered by the Secretary within ten (10) days after the date of service of this Order, this Order will become final as to Respondent by operation of law. If a hearing is requested or ordered, the Secretary, after notice of opportunity for hearing to Respondent, may modify or vacate this Order or extend it until final determination.

1. **GROUND.** The grounds for the issuance of this Order are that Respondent engaged in

conduct in violation of O.C.G.A. § 43-17-5.

**2. REQUEST FOR HEARING.** Pursuant to O.C.G.A. § 43-17-16(b)(3), this Order may be entered by the Secretary unless Respondent requests a hearing within ten (10) days of receipt of this notice. A request for hearing may be delivered to the attention of Noula Zaharis, Director, Office of the Secretary of State, Securities and Charities Division, 2 Martin Luther King Jr. Dr., SE, Suite 317 West Tower, Atlanta, GA 30334 or by electronic mail at [nzaharis@sos.ga.gov](mailto:nzaharis@sos.ga.gov).

**3. PROCEDURE FOR REQUESTING A HEARING.** If the Respondent requests a hearing, the request for hearing must be in writing and contain the following information as required by Rule 590-9-1-.05 of the Rules of Office of Secretary of State (hereinafter, the “Rule” or “Rules”):

- a title which indicates the nature of the proceedings;
- the complete name and address of the person or persons on whose behalf the request is filed;
- the name and address of all other persons known to have a legal interest in the proceedings;
- if the person or persons on whose behalf the request is filed are represented by counsel, the name and address of counsel;
- a clear and concise statement of the facts upon which the contested case arises;
- a prayer setting forth the relief sought; and,
- a statement of the grounds upon which the person contends he is entitled to the relief sought.

**4. SCHEDULING OF HEARING.** If requested, a hearing will be scheduled before the Commissioner or Assistant Commissioner of Securities and Charities, the ultimate decision maker in this matter, in no less than thirty (30) days but not earlier than five (5) days after the request is made, unless otherwise agreed to by the parties.

**5. ISSUES TO BE ADDRESSED.** If a hearing is requested, the issues to be addressed are set forth in the attached Order that is incorporated herein by reference and made a part of this Notice of Opportunity for Hearing.

**6. CONTESTED CASES.** This is a contested case proceeding and pursuant to the Rules it shall be conducted as expeditiously as possible, with regard to the rights of the parties, and in a manner to enable the parties to obtain relevant information needed for preparation of the case to

the extent that such disclosure is authorized or required by law.

**7. LEGAL AUTHORITY AND JURISDICTION.** This Notice of Opportunity for Hearing is issued pursuant to O.C.G.A. § 43-17-16, Rule 590-9-1-.05, and O.C.G.A. § 50-13-1 *et seq.* (The Georgia Administrative Procedure Act).

**8. INFORMAL CONFERENCE.** Respondent may request an informal conference with the Division Director pursuant to Rule 590-9-1-.05. The receipt of a written request for an informal conference will toll, until the date that such conference is scheduled, the running of the time for requesting and setting a hearing. A request for hearing that does not contain the required information as outlined above will be treated as a request for an informal conference. Further information regarding an informal conference may be obtained by contacting Noula Zaharis at [nzaharis@sos.ga.gov](mailto:nzaharis@sos.ga.gov).

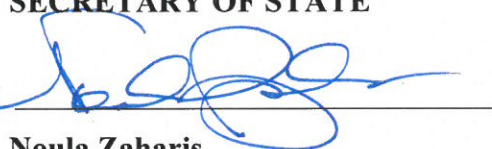
**9. RIGHTS OF PARTIES.** The parties to this matter shall have all of the rights provided for in the Act, the Rules and the Georgia Administrative Procedure Act, including but not limited to the following:

- To subpoena witnesses and documentary evidence;
- To secure testimony by deposition or interrogatories if authorized or directed by Hearing Officer;
- To be represented by legal counsel; and
- To respond and present evidence on all issues involved.

**SO ORDERED** this 8<sup>th</sup> day of July, 2019.

**BRAD RAFFENSPERGER**  
**SECRETARY OF STATE**

By: \_\_\_\_\_

  
**Noula Zaharis**  
**Director**  
**Securities and Charities Division**  
**The Office of the Secretary of State**