

Rev. Lorenzo Rosales Fajardo

Monte De Sion Independent Church

DOB: 26 October 1971

Detained, facing 10-year sentence

Boniato Maximum Security Prison, Santiago de Cuba



Summary

Reverend Lorenzo Rosales Fajardo was detained by State Security in Palma Soriano on 11 July while he participated in peaceful protests that occurred across the island. He was held incommunicado in Versalles, a State Security Facility in the city of Santiago de Cuba, until August when he was transferred to the Boniato Maximum Security Prison, located outside Santiago de Cuba. He is facing a number of charges including 'disrespect', public disorder', 'criminal incitement' and 'assault' but has not yet faced trial. Seven attempts to file for habeas corpus have been denied. On 22 October, his wife was informed that the government is seeking to impose a 10-year prison sentence for Rev. Rosales Fajardo. The pastor has been a target of the Cuban government since 2009 when the authorities arbitrarily confiscated their home which also acted as their church. Reverend Rosales Fajardo was labelled a counter-revolutionary by State Security officer Luis Noel Plutin Rodriguez who was involved in the property confiscation. Officer Plutin Rodriguez is now the Ministry of the Interior (MININT)¹ Delegate and was responsible for the decision to charge and imprison Rev. Rosales Fajardo after his detention at the 11 July protests.

Case history

Rev. Rosales Fajardo, his son David Lorenzo Rosales Carballo, and a group of church members joined the peaceful march in Palma Soriano after it started at around midday on 11 July. He and his son were detained after police and military attempted to block the way of the protestors. The two were then separated. An eyewitness was able to photograph the moment Rev. Rosales Fajardo was detained as the pastor was held by a uniformed member of the Black Berets, a Cuban paramilitary force responsible for serious human rights violations, in a chokehold.

Rev. Rosales Fajardo was held in an unknown location for three days before being transferred to Versalles, a facility run by MININT, on 14 July. During the transfer, Rev. Rosales Fajardo was severely beaten. He told his lawyer that he was handcuffed, thrown to the ground and kicked repeatedly in the abdomen and face, resulting in the loss of a tooth.

A guard who was present during the assault later stated that they and the other guards took turns urinating on Rev. Rosales Fajardo's head and said that the beating was in retaliation for Cuban pastors posting on social media about Rev. Rosales Fajardo's detention.

On 7 August, Rev. Rosales Fajardo was transferred to Boniato Maximum Security Prison where he and the other men in the group of transferees were given a violent reception organized by the prison Head of Reduction,² Major Edis Nelson. The men were handed over to a group of prisoners who beat and sexually assaulted them. Rev. Rosales Fajardo survived the organised attack and was not sexually assaulted himself, but described it as one of the most terrifying and terrible experiences of his life.

Over the past three months, he has been threatened with forced commitment to a psychiatric facility and has expressed concerns for his safety.

From 11 July to 13 July, the authorities refused to give any information regarding the whereabouts and wellbeing of Rev. Rosales Fajardo to his wife, Maridilegnis Carballo.

On 14 July the authorities gave Carballo, who is also a lawyer, a handwritten slip of paper which stated that her husband is facing charges of 'disrespect', 'public disorder' and 'assault'.³ Carballo was informed at the time that Rev. Rosales Fajardo will be imprisoned until he faces trial. On 22 October, Carballo was told by the government that it is recommending a 10-year prison sentence.

Carballo travelled to Versalles and to Boniato Maximum Security Prison on multiple occasions in order to leave her husband some hygiene items, but was not allowed to see or speak to him until mid-October when they were permitted a 90-minute face to face visit. A second visit, this time with their children, took place on 28 October. Apart from that their communication has been limited to a few three-minute phone calls.

Seven requests by Rev. Rosales Fajardo's lawyer for a writ of habeas corpus have been denied. His lawyer has described him as extremely thin and told Carballo that the government

¹ State Security is a branch of MININT

² Jefe de Reducción

³ desacato, desorden público and atentados

plans to argue that Rev. Rosales Fajardo was the organizer of the protests in Palma Soriano in order to justify a lengthy sentence.

In July, Carballo was fired from her job, and she also reported that she was threatened with repercussions for their son if she continues to speak out. In September, Carballo reported that prison officials had also issued threats to her husband that she could also be arrested and imprisoned if she continues to speak to international organisations about his unjust imprisonment.

Legal history

According to Global Liberty Alliance, a Washington DC based NGO who have helped to provide legal support to Rev. Lorenzo Rosales Fajardo, the pastor and his lawyer were only made aware of some of the charges against him through documents that were issued during their appeals for habeas corpus.

In a ruling by the Santiago de Cuba People's Provincial Court, Judge Nerelvis Luna Labrada falsely claimed that Reverend Rosales Fajardo had been informed of the charges against him on 12 July, the day following his detention. As mentioned above, the only information provided regarding his charges was a handwritten note with three of the charges listed and given to his wife by State Security on 14 July.

On 17 July, after a preparatory phase was filed and processed by a criminal investigation unit of Palma Soriano, a precautionary measure of provisional prison (arbitrary detention without trial) was imposed for assault, public disorder, resistance and criminal incitement. Complete documents outlining the charges against Pastor Rosales Fajardo, and justifying his detention, have not been provided to him, his family or his lawyer. As far as he, his family and lawyer understand, Pastor Lorenzo Rosales Fajardo is charged with:

1. Criminal Incitement - Article 202.1 of the Criminal Code
2. Public Disorder - Article 200.1 of the Criminal Code
3. Disrespect - Article 144.1 of the Criminal Code
4. Assault – Article 142.1 (142 1.4a) of the Criminal Code

Judge Luna Labrada, also justified Rev. Rosales Fajardo's continued detention pending trial, writing that "compelling evidence" in Pastor Rosales Fajardo's case is justified as a precautionary measure, citing Article 56 of the Cuban Constitution as the legal basis for her decision.

Judge Luna Labrada stated that while Article 56 protects the

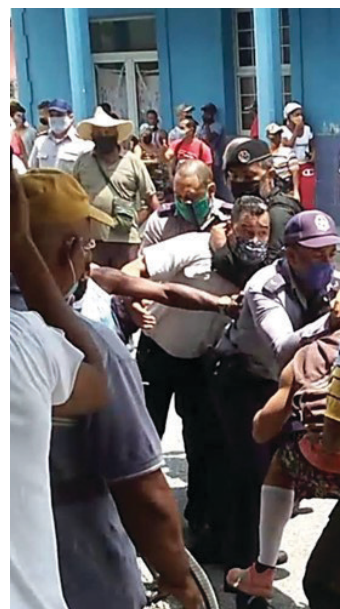
rights of assembly, demonstration and association for lawful and peaceful purposes, the petitioner failed to address the restrictions placed on these individual rights: specifically instances where "the supreme leader of the revolution is being offended" and/or are not legal or peaceful in nature.⁴

Background

Rev. Rosales Fajardo leads the Monte de Sion Church in Palma Soriano. The church is independent, unregistered and not affiliated with any denomination or religious association. Approximately 80 to 100 people attended the church before his detention, which met on private property belonging to the family.

Rev. Rosales Fajardo grew up in the Eastern Baptist Convention and attended the Eastern Baptist Seminary in Santiago de Cuba. He joined the Open Bible denomination (Biblia Abierta), a member of the Cuban Council of Churches, and entered into full time ministry with the support of his wife in 2001.

In 2009, their church property was confiscated by the government. Disappointed by a lack of support from the Open Bible denominational leadership due to what Carballo described as the denomination's priority to protect its good relationship with the government, the couple made the decision to formally leave the denomination and established the Monte de Sion Church on their own.



Rev. Rosales Fajardo as he was detained by a Black Beret

⁴ <https://www.globallibertyalliance.org/gla-news/case-update-habeas-corpus-filed-on-behalf-of-pastor-lorenzo-rosales-fajardo-denied-by-provincial-court-of-santiago-de-cuba>

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PO Box 99

New Malden

Surrey, KT3 3YF

United Kingdom