

PUBLIC APPEAL on the immediate and unconditional release of Victor Plescanov from illegal detention



Victor Plescanov, the first person convicted in the Transnistrian region for flying the flag of Ukraine and condemning the Russian invasion of Ukraine, [\[1\]](#) must be urgently released from prison no. 3 from Tiraspol, following the identification of serious health problems.

On 23 November this year, Mr. Plescanov's wife announced on social media that he had been diagnosed with an oncological problem. The information about the serious problems of unknown origin in the stomach was later confirmed by Stepan Popovski, a lawyer from the Transnistrian region, who also signaled the refusal of proper communication and information from the Transnistrian structures, but also their hostile attitude

towards Victor Plescanov in the last 2 weeks.[\[2\]](#)

We recall that in 2022, the Promo-LEX Association condemned the illegal detention of Mr. Plescanov, and subsequently requested the emergency intervention of the constitutional authorities as a result of the poor medical condition and information regarding an alleged suicide attempt.[\[3\]](#) Information that regrettably came true later. However, his medical condition has not changed and he has not been released from illegal detention.

The United Nations Principles stress that “The enjoyment of the highest attainable standard of health is one of the fundamental rights of every human being”[\[4\]](#). Also, the right of persons deprived of their liberty to medical assistance is one of the basic principles of the Recommendation of the Committee of Ministers of the Council of Europe Rec(2006)2 on the European Prison Rules, according to which “Persons deprived of their liberty retain all rights that are not lawfully taken away by the decision sentencing them or remanding them in custody”[\[5\]](#). At the same time, the jurisprudence of the European Court of Human Rights, including that in “Transnistrian cases” illustrates that states that refuse to provide arrested or detained persons with prompt and adequate medical assistance have been repeatedly condemned for violating Article 2 (right to life) or Article 3 (prohibition of torture) of the ECHR[\[6\]](#).

In the meantime, diplomatic missions, national and international institutions, including the European Court of Human Rights, were regularly referred to this case. Recently, delegations of the OSCE Committee of Ministers were also informed about his condition.[\[7\]](#) However, his condition remained unchanged. Moreover, on 1 December this year, the leader in Tiraspol, Vadim Krasnoselskii, refused the pardon, and respectively the release of Mr. Plescanov from illegal detention[\[8\]](#).

- *Confirming* the conviction and deprivation of liberty of Mr. Plescanov for criticism of the Russian army and Transnistrian structures;
- *Highlighting* his illegal detention for more than 18 months in inhuman and degrading conditions, as well as his systemic physical and mental health problems;
- *Emphasizing* the inability of the alleged medical system in the region, especially in places of detention, to provide adequate medical treatment;
- *We find* that keeping Victor Plescanov in detention on the left bank of the Dniester River is dangerous for his life.

Promo-LEX Association publicly calls upon constitutional authorities, diplomatic missions, OSCE Mission to Moldova and the Office of the UN High Commissioner for Human Rights in Moldova to take the following measures:

- To request the representatives of the Transnistrian structures, through the existing communication channels, the immediate release of Mr. Plescanov from illegal detention and the elucidation of his medical situation;
- Ensure Mr. Plescanov's access to hospital care of the highest possible quality, under humane and appropriate conditions, with access to the full range of diagnostic and treatment measures;
- To constantly monitor the situation of Mr. Plescanov until his full restoration in the rights and freedoms violated;
- To systematically inform the public about the measures that have been taken in this case.

[\[1\]](#) The Tiraspol regime condemned the first person for openly criticizing the war in Ukraine,

<https://promolex.md/22788-regimul-de-la-tiraspol-a-condamnat-p- rima-persoana-pentru-critica-deschisa-a-razboiului-din- ucraina/?lang=ro>

[2] Letter of 1 December 2023 sent to the authorities by Stepan Popovski

[3] PUBLIC APPEAL for providing urgent medical assistance and release from illegal detention of the first person convicted in the Transnistrian region for criticizing the Russian war in Ukraine,

<https://promolex.md/22988-apel-public-acordarea-asistentei-med icale-urgente-si-eliberarea-din-detentia-ilegala-a-primei- persoane-condamdate-in-regiunea-transnistreana-pentru-critica- razboiul-rusiei-in-ucraina/?lang=ro>

[4] United Nations, “International Covenant on Economic, Social and Cultural Rights Art. 12”, <http://www.ohchr.org/EN/ProfessionalInterest/Pages/CESCR.aspx>.

[5] Council of Europe, Recommendation of the Committee of Ministers of the Council of Europe Rec(2006)2 on European Prison Rules, https://search.coe.int/cm/Pages/result_details.aspx?ObjectID=09000016805d8d25.

[6] The case of Drovorub vs Moldova and Russia, no. 33583/14 of 28 September 2021, <https://hudoc.echr.coe.int/eng?i=001-211890>

[7] Situation of political prisoners in the Transnistrian region communicated to delegations of the OSCE Council of Ministers,

<https://promolex.md/24815-situatia-detinutilor-politici-din-re giunea-transnistreana-comunicata-delegatiilor-consiliului-de- ministri-al-osce/?lang=ro>

[8] Order of Vadim Krasnoselskii of 1 december 2023,

[https://president.gospmr.org/pravovye-akty/ukazi/ob-otkloneni-
-hodataystv-o-po5milovanii.html](https://president.gospmr.org/pravovye-akty/ukazi/ob-otkloneni-
-hodataystv-o-po5milovanii.html)