



## European Court rejects as inadmissible famous Russian singer's complaint about ban on entering Lithuania

In its decision in the case of [Kirkorov v. Lithuania](#) (application no. 12174/22) the European Court of Human Rights has by a majority declared the application inadmissible. The decision is final.

The case concerned the ban on the applicant, a popular singer and music producer in Russia, from entering Lithuania because he was considered a threat to national security. The Lithuanian authorities found in particular that he was a tool for Russia's propaganda in States of the former USSR and that, by regularly giving concerts in Crimea, he supported the Russian State's policy of aggression.

Overall, the Court found that the Lithuanian authorities' assessment, which had been based on the applicant's statements and behaviour, had not been arbitrary or without basis. In particular the applicant had openly stated that he supported Russia's actions in the Crimean peninsula and referred to himself as Vladimir Putin's "representative on stage". The courts had moreover weighed up the interests of national security and public order against the applicant's actions and the ban imposed on him and not found it to be disproportionate.

The Court also highlighted that the national courts, the *Seimas* (Lithuanian Parliament) and the European Parliament had all acknowledged the need for exposing Russian disinformation and propaganda warfare.

### Principal facts

The applicant, Filip Bedros Kirkorov, is a Bulgarian and Russian national who was born in 1967 and lives in Moscow.

In January 2021 the Lithuanian migration authorities, at the request of the Ministry of Foreign Affairs, banned Mr Kirkorov from entering Lithuania for five years because he was considered a threat to national security. The authorities noted in particular that he was a popular Russian singer and music producer with a strong influence in the Russian Federation and other States of the former USSR, and was therefore a tool of "soft power". They also found that, by regularly giving concerts in Crimea, he supported Russia's policy of aggression.

Mr Kirkorov appealed to the courts. He argued in particular that he was an artist and not interested in politics. His songs dealt with love, human relationships and nature.

In their submissions to the courts, the migration authorities reiterated their arguments for the ban, specifying that Mr Kirkorov had publicly broadcast the message that the "return" of the Crimean peninsula to Russia was "a glorious and victorious event" and referred to himself as Vladimir Putin's "representative on stage".

Mr Kirkorov's appeal was ultimately – in September 2021 – dismissed by the Supreme Administrative Court. It found that his behaviour justified such a ban. It also found that the ban was not disproportionate: Mr Kirkorov had no family, social or economic ties in Lithuania and, in any case, his right to give concerts in other EU member States had not been curtailed.

The ban is still in effect and Mr Kirkorov has been unable to enter Lithuania since 2021.

## Complaints, procedure and composition of the Court

The application was lodged with the European Court of Human Rights on 24 February 2022.

Relying on Article 10 (freedom of expression) and Article 1 of Protocol No. 1 (protection of property), the applicant alleged that the ban had been a means to censor his political views and complained of lost income and having to reimburse tickets from cancelled concerts in Lithuania in 2021.

The decision was given by a Chamber of seven judges, composed as follows:

Arnfinn **Bårdsen** (Norway), *President*,  
Jovan **Ilievski** (North Macedonia),  
Egidijus **Kūris** (Lithuania),  
Saadet **Yüksel** (Türkiye),  
Lorraine **Schembri Orland** (Malta),  
Frédéric **Krenc** (Belgium),  
Davor **Derenčinović** (Croatia),

and also Hasan **Bakırcı**, *Section Registrar*.

## Decision of the Court

### Article 10

Firstly, the Court found that the ban had restricted the applicant's sharing information and ideas in Lithuania and that there had therefore been an interference with his right to freedom of expression under Article 10. That interference had had a legal basis both under the relevant domestic and EU law and its aim – the protection of national security and public order – had been legitimate.

It went on to point out that the decision to impose the ban had been based on objective and reasoned data, namely the applicant's statements and behaviour, not suppositions. Indeed, as noted by the migration authorities and the national courts, the applicant had not denied the fact that he supported the Russian Federation's actions in the Crimean peninsula.

Furthermore, it referred to the migration authorities' submission that various means of propaganda, including television, social networks, films and famous singers, such as the applicant, had been used by Russia against the Baltic States. That explanation had been mentioned by the national courts in their justification for the ban. Indeed, both the *Seimas* – in its 2002 Resolution (*nutarimas*) on the Approval of the National Security Strategy – and the European Parliament – in its 2016 resolution on EU strategic communication to counteract propaganda – had acknowledged the need for exposing Russian disinformation and propaganda warfare.

Overall, there was nothing in the case file to suggest that the national courts had erred in their assessment of the facts or applied the law in an arbitrary or unreasonable manner. Moreover, the courts' decisions upholding the ban had been reached after hearing the applicant's position.

Lastly, the Court agreed with the national courts that the ban had not been disproportionate as it had taken into account that his rights as an EU citizen had only been restricted with regard to his entering Lithuania and that, in any case, he had no family, social or economic ties with the country.

The Court declared the applicant's complaint under Article 10 inadmissible as manifestly ill-founded.

### Article 1 of Protocol No. 1

The Court noted that the applicant could have, but had not, brought an action for damages in the Lithuanian civil courts with regard to his complaint about loss of income from cancelled concerts.

That complaint was therefore declared inadmissible because the applicant had not used all the [legal avenues available at national level](#).

*The decision is available only in English.*

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