

[DE] Right of access to information on state reception guest lists

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On 19 May 2026, the Munich Higher Administrative Court (*Bayerischer Verwaltungsgerichtshof* – VGH) ruled in interim relief proceedings (case no. 7 CE 26.397) that the Free State of Bavaria was obliged to provide online news portal Apollo News with information regarding the names, roles and associated institutions of guests who attended state receptions organised by the Bavarian State Government between 2022 and 2025 as part of the Ludwig Erhard Summit. In cases involving claims for information under press law, urgent legal protection is required where there is a substantial general public interest and the information has current news value which would be lost as a result of protracted proceedings on the merits.

The Ludwig Erhard Summit is an annual economic forum at which decision-makers from the worlds of politics and business come together. In January 2026, Apollo News and its head of investigations submitted a request to the Bavarian State Chancellery for information regarding state receptions held as part of the summits between 2022 and 2025, in particular regarding the guests, how they were selected and the influence of the Weimer Media (WM) Group, which organises the summit. This followed public statements regarding possible problematic links between the WM Group – which was headed at the time by the current minister of state for culture, Wolfram Weimer – and the state receptions. The State Chancellery merely confirmed that the state receptions had taken place and refused to provide further information, citing data protection grounds. Subsequently, Apollo News and its head of investigations applied to the Free State of Bavaria for an interim order pursuant to Section 123 of the Code of Administrative Procedure (*Verwaltungsgerichtsordnung* – VwGO) to compel the Free State of Bavaria to provide information on the guests at the state receptions, the criteria for their selection and the influence of the WM Group on the guest list. After the Munich Administrative Court (*Verwaltungsgericht München* – VG) had denied a right to information under the Bavarian Press Act (*Bayerisches Pressegesetz* – BayPrG) and the Interstate Media Treaty (*Medienstaatsvertrag* – MStV), the VGH ruled in appeal proceedings that the head of investigations at Apollo News was entitled to the information under the MStV.

Firstly, the VGH confirmed that Apollo News had no right to information under the BayPrG, since this applied only to the print press. However, under Section 2(1),

third sentence of the MStV, Apollo News was a telemedia provider offering an electronic information and communication service comprising journalistic and editorial content. Pursuant to Section 18(4) in conjunction with Section 5 MStV, it therefore had the same right to information from public authorities as the so-called “electronic press”. Even if the wording of Section 18(4) MStV were to cover only telemedia that reproduced the content of periodical print publications, the constitutionally guaranteed freedom of the press enshrined in Article 5(1), second sentence of the Basic Law (*Grundgesetz* – GG) would extend this right to journalistic and editorial online media such as Apollo News, which were functionally classified as part of the press but published their content exclusively in digital form. In reaching this interpretation, the VGH referred to the case law of the Federal Administrative Court (*Bundesverwaltungsgericht*), according to which the concept of the press in Article 5(1), second sentence of the Basic Law was broad, formal and open to development. Protection was afforded not only to traditional print publications but also to digital media, provided that they functionally fulfilled the tasks of the press, i.e. carried out journalistic and editorial work, contributed to diversity of opinion and played a part in shaping public opinion. It was irrelevant whether the content also appeared in print form or was published exclusively online. It followed that the right to information under the MStV could not be limited to telemedia that reproduced the content of print media.

The VGH held that the right to information on the names, roles and associated institutions of the individuals who had attended the state receptions at the summits between 2022 and 2025 was established and affirmed that the conditions for a provisional order were met. In its reasoning, it referred to the press’s role in providing information and exercising scrutiny. The right to information under press law was intended to enable journalists to scrutinise government action and to inform the general public about matters of general public interest. The request was linked to investigations into possible conflicts of interest and the suspicion that access to state receptions was also being arranged via paid services offered by the WM Group. Since the Bavarian Minister-President himself had spoken of a “very aggressive offering of contacts through the state reception”, the request had not been based on mere speculation but on concrete evidence. Consequently, contrary to the view of the lower court, the question regarding who had attended the state receptions was subject to the right to information under media law. Whilst the disclosure of this data affected the general right to privacy of those concerned, in this case it related solely to their social sphere. The need to protect this should be regarded as minimal in the specific circumstances of this case, since neither participation in the summit nor in a state reception was, in itself, reprehensible or unlawful. By contrast, however, the public interest in information carried significant weight, since there was a suspicion that the WM Group may have facilitated political contacts and access to state-funded receptions. The names of the participants could serve as a starting

point for further investigations.

The situation was different, however, with regard to the names, roles and associated institutions of individuals who had been invited to the state receptions but had not attended. In the case of these individuals, it was not their social sphere but their more strongly protected private sphere that would be affected, as they had specifically chosen not to participate publicly. Here, the VGH could not establish an overriding public interest in the information. The same applied to further questions regarding which guests had been invited on whose recommendation. Whilst this would affect only the social sphere of actual attendees, disclosure would give rise to the suspicion that the individuals concerned had “bought” their attendance or political contacts.

It should be emphasised that the right to information was established only in relation to the Apollo News head of investigations and not in relation to the provider of Apollo News, since the latter had been unable to demonstrate sufficiently that the online news portal represented its – otherwise wide-ranging – corporate purpose. It must therefore be assumed that it performed its functions as a press organisation only to a limited extent.

VGH München, Beschluss v. 19.05.2026 – 7 CE 26.397

<https://www.gesetze-bayern.de/Content/Document/Y-300-Z-BECKRS-B-2026-N-9946?hl=true>

Munich Higher Administrative Court, Order of May 19, 2026 – 7 CE 26.397

