

**Video conference between the Federal Chancellor and
the Heads of Government of the Länder on 22 March
2021**

DECISION

Dated 24 March
2021

The Federal Chancellor and the Heads of Government of the Länder have adopted the following decision:

The Federal Chancellor and the Heads of Government of the Länder are very grateful to the public for the solidarity they have shown in the fight against the pandemic while living with the restrictions that it has been necessary to impose. While we were highly successful in containing the spread of the virus during January and February, we are once again seeing high infection rates and exponential growth – due in particular to the prevalence of the SARS-CoV-2 variant B.1.1.7.

This means that without measures to curb the increase in new infections, the healthcare system is likely to become overwhelmed in April. Even though a good proportion of the elderly population has already been vaccinated, the significantly higher mortality rate of the B.1.1.7 mutation (according to current scientific evidence), which is now the most widespread in Germany, in combination with the fact that younger patients generally spend longer in intensive care, means that as things currently stand, the healthcare system will be stretched to its limit – not at the same incidence rates as before but, as long as we are experiencing exponential growth, not much later than it would have been before the vaccination of the elderly population.

On the basis of the planned vaccine deliveries, the Federal Government and the Länder have set themselves the goal of offering everyone in Germany the opportunity to be vaccinated this summer. With the increasing availability of vaccines, the vaccination campaign will gain momentum from week to week. As the vaccination rate among the population increases, the pandemic will lose its ferocity because the more people are vaccinated, the less the virus can spread. Vaccinating a greater proportion of the population thus helps to reduce the reproduction number (R), and thereby to stabilise or reduce the number of new infections. If the reproduction number is high, it will be longer before the vaccination rate has any stabilising effect on the number of infections. When the number of new infections is high, it is necessary not only to

stabilise the infection rate, but also to delay any further easing of restrictions until the numbers can be reduced. Strict containment measures to curb the infection rate in the next few weeks will thus lead to an earlier return to normal, and to a shorter period of restrictions overall. Such measures are therefore necessary for economic and social reasons as well as to protect public health.

Future steps to ease restrictions will largely depend on systematic testing of the public. Rapid tests and self-administered tests can provide additional safety for contacts on a day-to-day basis. Regular testing can also help to detect asymptomatic infections. Infected people can then be quarantined faster and their contacts can be traced more successfully. The more people consistently participate in the testing programme, the greater the effect. The aims are to significantly expand the number of tests performed under the testing programme and to improve the traceability of contacts when an infection is detected. Sufficient tests must be available for the testing strategy to work. The testing strategy comprises three pillars, the first of which is testing pupils and staff in schools. The second pillar consists of free tests for the general public, and the third is tests for employees in companies that require physical presence in the workplace. The Federal Government and the Länder once again advise that a positive rapid test or self-administered test requires immediate isolation and a mandatory confirmation test by means of PCR. These PCR tests can be performed free of charge.

The current situation requires rigorous measures. Due to the increased risk of infection, indoor contact in particular must be avoided as much as possible and must only take place with comprehensive protective measures such as mandatory wearing of masks offering a high level of protection and the use of rapid tests. In order to minimise the spread of infections from regions with higher incidence rates to regions with lower rates, mobility must also continue to be restricted and reduced to the absolute minimum. The Federal Chancellor and the Heads of Government of the Länder urgently ask the public to continue to limit all contacts to the absolute minimum over the coming weeks, and to avoid meeting indoors in particular.

Against this backdrop, the Federal Chancellor and the Heads of Government of the Länder have agreed that:

1. The **existing decisions** of the Federal Chancellor and the Heads of Government of the Länder shall continue to apply, unless

specified otherwise in this decision. The Länder will amend their own regulations accordingly with effect from 29 March 2021 and extend them until 18 April 2021.

2. In view of the exponential increase in infection rates, the **emergency brake** agreed upon in the last decision must be implemented consistently (“If the 7-day incidence per 100,000 inhabitants rises to more than 100 on three consecutive days in the Land or region, the rules that applied until 7 March will come into force again there from the second following working day (emergency brake)”).

Achieving a stable or declining 7-day incidence of less than 100 new infections per 100,000 inhabitants in the Land or region was stipulated as the prerequisite for the agreed steps to ease restrictions. This means that even below this incidence threshold, there will be no additional openings where there is exponential growth in the number of new infections.

3. In light of the significant exponential growth, **additional measures** must also be taken to ensure that the number of new infections decreases again. Therefore, further steps will be implemented in districts with a 7-day incidence of more than 100. These may include, in particular:
 - a. the obligation for passengers in private vehicles to wear medical masks if they are not members of the driver’s household;
 - b. further obligations making rapid tests performed that day a requirement in areas where it is difficult to maintain social distancing and consistently wear masks.
 - c. curfews;
 - d. more stringent contact restrictions.

4. ~~In view of the serious infection figures, the Federal Government and the Länder want to use the Easter period to disrupt the exponential growth of the third wave by substantially reducing all contacts for several days. Thursday 1 April and Saturday 3 April will therefore exceptionally be deemed “days of rest”, with significant contact restrictions and a ban on gatherings from 1 to 5 April (“**extended rest period over Easter**”). For five consecutive days, the principle of #WirBleibenZuHause (we’re staying at home) will thus apply. Private gatherings during this time will be limited to members of one’s own household and one other household, with a maximum of five people in total. Children up to the age of 14~~

~~do not count towards this limit, and couples count as one household. Public gatherings will be strictly prohibited. Where outdoor dining has reopened, it must close for these five days. Only food shops, in the strict sense of the term, will be open on the Saturday. The Federal Government will submit a proposal for the legal implementation of these measures, including their justification. The Federal Government and the Länder will approach religious communities with the request that they only hold religious assemblies online during this time. If the criteria for a step to ease restrictions in accordance with the MPK decision of 3 March 2021 are met in the coming days, this step will be implemented from 6 April 2021. Vaccination and testing centres will remain open. The public are encouraged to take advantage of free testing.~~

Note: The Federal Chancellor informed the Heads of Government of the Länder on 24.3.2021 that the Federal Government will not be implementing Item 4 of the decision.

5. After Easter, extensive testing will play an even more crucial role in the fight against the pandemic. Since 8 March 2021, the Federal Government has been covering the cost of at least one free rapid test per week (**public testing**). The Länder and local authorities have very quickly succeeded in establishing the comprehensive infrastructure needed for these tests, in cooperation with many different local partners (including public testing centres, doctors, pharmacists, retailers, aid organisations, etc.). The task force for testing logistics has ensured that all Länder will be adequately supplied with rapid tests and self-administered tests for the months of March and April through already completed purchases and ongoing procurement.

The task force for testing logistics will continue working with the manufacturers to ensure that sufficient rapid tests are available to continue implementing the testing strategy after Easter.

The Robert Koch Institute has been asked to present a report by the next conference between the Federal Chancellor and the Heads of Government of the Länder which assesses whether we can be sufficiently certain, or when we are likely to be sufficiently certain, that those who have been vaccinated are not infectious, so that they no longer need to be included in testing strategies.

With the increasing availability of rapid tests and self-administered tests, **comprehensive testing in schools and daycare centres** is currently being introduced in the Länder. The prioritised vaccination of daycare centre staff, primary school teachers and special needs teachers will enable us to achieve another important component of the protective measures. Testing of employees in

the education sector and of school pupils will be further expanded, and two tests per week will be provided as soon as possible. Daycare centre staff will also be tested twice a week as soon as possible via appropriate procedures. This measure will firstly improve protection against infection in schools and daycare centres, and secondly help to identify and break chains of transmission in the population as a whole.

6. As part of temporary pilot projects, the Länder can reopen individual areas of public life in selected regions, with strict hygiene measures and a testing strategy, in order to **investigate** the feasibility of steps to ease restrictions in conjunction with a rigorous **testing regime**. Essential requirements for these reopenings are continuous negative test results for admission, digital processes for contact tracing and where possible also for test result certification, spatial separation at local authority level, direct feedback to the public health service and clear cancellation criteria if the projects fail.
7. To maximise protection against infection, it is particularly important in this current phase of the pandemic that **companies** in Germany reduce contacts in the workplace and on the way to and from work which may lead to transmission of the virus by enabling their employees to work from home and, where this is not possible, by offering regular tests to employees who are physically present in the workplace. This forms part of the companies' overall contribution to the fight against the pandemic, as do the commitment of business associations to offering testing for employees and the provisions of the SARS-CoV-2 Occupational Health and Safety Regulation (Arbeitsschutzverordnung). Rapidly implementing testing in all companies in Germany is necessary in view of the increasing number of infections. Employees who are not working from home should be offered tests at least once a week and, subject to availability, twice a week, with certification of the results. The business associations will present their first implementation report at the start of April, stating how many companies are offering testing. The Federal Government will use this information and its own findings from monitoring to assess whether there is a need for further action with regard to the SARS-CoV-2 Occupational Health and Safety Regulation (Arbeitsschutzverordnung).
8. The Federal Government will develop a **supplementary aid package** under the terms of European law for businesses which are particularly hard hit by the COVID-19 pandemic and have been subject to closures over a significant period of time.

9. The Federal Government and the Länder maintain their urgent appeal to all members of the public to refrain from non-essential local and international **travel** – including during the upcoming Easter period. They explicitly point out that when entering Germany from high-risk areas abroad, it is mandatory to register online, and that there is a mandatory quarantine for a period of 10 days after returning to the country. It is only possible to leave quarantine earlier than this after a negative test, which can be taken on the fifth day after returning to Germany at the earliest. As it has now been widely observed that certain variants of the virus are infectious for a longer period of time, this explicitly does not apply to return trips from regions where these variants are prevalent, as of 8 March. In such cases, a quarantine period of 14 days must be strictly observed. In addition, limited transport possibilities are to be expected when returning from regions where these variants are prevalent.

The emergence and worldwide spread of different variants of SARS-CoV-2 has shown that international travel must continue to be limited to the absolute minimum necessary. Since it can be expected that holidaymakers from numerous countries will mingle and thus facilitate the spread of variants of the virus, especially in popular holiday destinations, the Federal Government and the Länder expect all airlines to conduct systematic crew and passenger testing before return flights, and not to provide any more additional flights during the Easter holidays. The Federal Government will submit an amendment to the Protection against Infection Act (Infektionsschutzgesetz) which introduces obligatory testing as a general requirement for boarding flights to Germany in light of the ongoing pandemic.

10. The **financial situation of hospitals** will be stabilised over the long term through the Federal Government's compensation payments. The Federal Government is making a significant contribution to the financial security of hospitals during the pandemic with the planned pandemic-related compensation for lost revenue for 2021, as well as by increasing the number of hospitals eligible for compensation payments by reducing the 7-day incidence thresholds and extending the reduced period for payment of hospital bills by health insurance providers. In addition to this, hospitals with pandemic-related liquidity problems which did not receive any compensation payments despite a decline in bed occupancy in 2021 should be able to receive prompt support in advance of the pandemic-related compensation for lost revenue for 2021 that will be provided after the end of the calendar year. This arrangement will be implemented within the framework of the current legislative process.

11. The vaccination strategy prioritises residents and staff **in care homes, nursing homes and institutions working in the area of integration**. This is important for reducing severe and fatal cases and is already showing results, giving rise to the expectation that the challenging circumstances will finally return to normal for all those affected. Pending scientific clarification and a recommendation by the Robert Koch Institute, this expectation remains clouded by uncertainty regarding the extent to which those who have already been vaccinated can still pass on the virus to others. This is why the Federal Chancellor and the Heads of Government of the Länder have asked the GMK (Conference of the Ministers of Health of the Länder) to present recommendations on this issue. Rigorous implementation of hygiene measures and testing will initially remain necessary. Two weeks after the second vaccination, institutions which do not have any outbreaks of infection can loosen restrictions on visitors and reintroduce activities involving different groups of residents. From this point onwards, there will not be any need for measures which differentiate between vaccinated and unvaccinated residents. The institutions involved are required to promptly offer any unvaccinated people, such as new residents, the opportunity to be vaccinated. In light of this, the Federal Government's offer of support with testing, including by the Bundeswehr, will remain open.
12. The Federal Chancellor and the Heads of Government of the Länder will consult again on **12 April 2021**, taking into account the latest infection figures.