

Video conference between the Federal Chancellor and the Heads of Government of the Länder on 7 January 2022

DECISION

The measures to reduce contacts and the large number of booster vaccinations administered have contributed to the fact that the Omicron variant has not spread as quickly in Germany in recent weeks as was to be expected given the experience in other countries. The measures adopted by the Federal Government and the Länder are effective because people are behaving responsibly.

The Federal Chancellor and the Heads of Government of the Länder thank the general public, especially for their prudence during the festive season. They are aware that the pandemic has already demanded a great deal from the general public over a very long period of time.

The members of the Federal Government's Council of Experts on COVID-19 expect that the Omicron variant will also prevail in Germany and that it will soon be dominant throughout the country. With the rapid spread of the variant, another significant increase in the 7-day incidence is now to be expected, and is already emerging. Therefore, the statement issued by the Council of Experts on 19 December 2021 remains valid. In their second statement, published on 6 January, the experts presented important additional findings on the Omicron variant.

The Council of Experts states that in relation to the number of cases, infections with the Omicron variant are less likely to cause severe disease progression; nevertheless, due to the large number of people infected simultaneously, it must be assumed that there will be a high burden on the hospitals. In relation to the number of cases, this will have less of an impact on intensive care units, but a greater impact on normal hospital wards. In addition, the experts emphasise that the Omicron variant is only gradually spreading to older population groups, and that the potential severity of the disease in such vulnerable groups cannot yet be accurately predicted. Another major problem is

caused by the expected high number of infections leading to staff absences due to illness and quarantine. On the scale that can be expected with Omicron, this may result in reductions in the functioning of critical infrastructure.

Due to its special properties, the Omicron variant can lead to a massive increase in the number of infections, which threatens to outweigh the advantage of the milder disease progression compared to the Delta variant. The infection dynamics must be closely monitored in order to be able to act quickly if necessary, and to further intensify the protective measures if required. The immune protection against the Omicron variant provided by the first and second vaccinations is limited. Therefore, people who only have such protection from the first and second vaccinations will also become ill. According to the Council of Experts, all available studies indicate that the third vaccination significantly reduces the risk of infection with the Omicron variant. This once again underlines the importance of a booster vaccination with the highly effective mRNA vaccines from Moderna and BioNTech.

The Federal Chancellor and the Heads of Government of the Länder once again thank the Council of Experts for its important work.

The key mechanism for Germany to safely navigate this new phase of the pandemic is to protect its citizens with booster vaccinations as well as first and second vaccinations. Vaccinations protect against serious illness – this is already true from the first vaccination onwards. Each and every person should be provided with a suitable vaccination offer.

Those who have already gained basic immunity are encouraged to continue behaving responsibly and in solidarity. The Federal Chancellor and the Heads of Government of the Länder ask everyone to accept the offer of a booster vaccination. The target of carrying out 30 million vaccinations by Christmas was achieved. Now, in a tremendous joint effort, the Federal Government and the Länder want to administer another 30 million vaccinations by the end of January.

In view of the current situation, the Federal Chancellor and the Heads of Government of the Länder have further agreed that:

1. The new virus variant is very easily transmitted from person to person. It is therefore important to wear FFP2 masks in enclosed spaces and when meeting with other people. The masks are particularly effective at preventing infection. The use of FFP2 masks is urgently recommended when **shopping at retail outlets and when using local and long-distance public transport.**
2. It remains necessary to **significantly reduce contacts, even at private gatherings.** The existing rule that private gatherings are allowed up to a maximum of 10 vaccinated and recovered persons remains in effect. For those who are not vaccinated or recovered: gatherings are restricted to members of the own household and a **maximum of two persons from another household.** Children up to the age of 14 are not counted as part of this figure.
3. Nationwide, **access to cultural and leisure institutions and events** (cinemas, theatres, etc.) and to retail outlets (exception: retail for daily needs) remains possible **only for those who are vaccinated or recovered (2G), irrespective of the incidence rates.** Exceptions apply for persons who cannot be vaccinated and for whom there is no general vaccination recommendation. Exceptions are also possible for children and young people up to the age of 18. Compliance with the rules will be strictly enforced.
4. **Access to eating and drinking establishments (restaurants, cafés, bars and pubs, etc.)** also remains possible only for those who are vaccinated or recovered (2G), and as a further measure – nationwide and irrespective of the incidence rates – **very soon** access will only be possible **with a current test or with proof of a booster vaccination**, which is considered valid from the date of the booster vaccination onwards (**2GPlus**). Masks cannot be worn continuously at such locations, so the virus variant is transmitted there particularly easily.
5. With regard to enforcement, the Länder will pay particular attention to **bars and pubs**, where the risk of infection is particularly high due to direct contact, small distances and non-continuous wearing of masks.
6. **Clubs and discotheques** (dance venues) in indoor areas remain **closed** until further notice, and dance events are prohibited.

7. The Federal Government and the Länder point out the existing **obligation to work from home** where possible. The Federal Chancellor and the Heads of Government of the Länder call on employers and employees to make greater use of working from home in the coming weeks. Working from home reduces contacts at work and on the way to and from work. It helps to reduce the number of infections.
8. In accordance with the recommendation by the Council of Experts, the Federal Government and the Länder will ensure a **balanced concept for the isolation of infected persons and the quarantine of contact persons**. At the same time, it should meet the requirements of protection against infection, especially for vulnerable groups. On the basis of the recommendations of the Federal Ministry of Health, which are in turn based on the relevant findings of the Robert Koch Institute, the Federal Government and the Länder will promptly make the required changes to the legal regulations.

Until now, contact persons of someone infected with the Omicron virus variant have been subject to a strict quarantine period of 14 days, which cannot be terminated prematurely by a negative test.

In future, those **contact persons who have full vaccine protection through the booster vaccination** are to be **exempted from the quarantine requirement**; this will also apply to comparable groups (newly vaccinated and recovered persons, etc.). For all other persons, isolation or quarantine will usually end after 10 days. After a proven infection or as a contact person, they can get **tested to be released from quarantine after seven days** by means of a PCR test or certified lateral flow test (proof of testing is required). This also takes into account the challenges for the critical infrastructure.

In order to effectively protect vulnerable persons in **hospitals, nursing homes and institutions working in the area of integration**, the isolation for employees who have been infected can **be terminated after seven days only by a mandatory PCR test** with a negative result, and work may only be resumed if the affected person is free of symptoms for the preceding 48 hours.

For **school pupils** and children in **childcare facilities**, contact person **quarantine** can already be terminated **after five days** by a PCR test or lateral flow test, because they take part in serial testing strategies. Exceptions to quarantine requirements are possible if there is a high level of protection (e.g. daily testing, mandatory face mask, etc.).

9. The Federal Chancellor and the Heads of Government of the Länder agree that **the vaccination campaign will continue at top speed**. All members of the public who have already received a first and second vaccination are to be promptly offered a **booster vaccination**. The booster vaccination provides the best immune protection against the Omicron variant. Those who have not yet decided to be vaccinated will be specifically addressed once again. Now at the latest, with the new and significantly more easily transmissible variant of the virus, the time has come to protect yourself and get the first and second vaccinations. Even a new first vaccination quickly protects against severe illness.
10. The Federal Chancellor and the Heads of Government of the Länder believe that **general mandatory vaccination** is necessary, in view of the need to achieve a high vaccination rate. They reiterate their decisions adopted in this regard in December 2021. The Länder expect that a timetable for the relevant legislation will be presented soon.
11. In recent weeks, the Federal Government and the Länder have discussed the anticipated effects of the rapid spread of the virus variant with the operators of **critical infrastructure**. Many areas of critical infrastructure are prepared for a massive level of staff absence and have adapted their plans accordingly. Further steps are now being taken. The Federal Government and the Länder will continue their dialogue in this regard on a regular basis. In order to minimise the impact of the staff absences forecast by the Council of Experts, the Federal Government and the Länder consider that pandemic-related provisions regarding working hours are necessary – first by using the possibilities for exceptions to the current regulations of the Working Time Act (Arbeitszeitgesetz).

12. In its second statement, issued on 6 January 2022, the Council of Experts points out that the **healthcare system must be prepared for the next wave of infections**. The Federal Chancellor and the Heads of Government of the Länder ask the health ministers of the Federal Government and the Länder to prepare the hospitals for the expected high infection rates, in accordance with the recommendations of the Council of Experts.
13. Especially during the pandemic, **cultural experiences and artistic production** are demonstrating their great importance and their value to society. By precisely setting out the measures for the cultural sector (in particular 2G and 2GPlus regulations), the Länder are respecting the special obligation to justify restrictions on cultural events highlighted in the Protection against Infection Act (Infektionsschutzgesetz).
14. With the new interim financial help IV package, the economic stabilisation fund and the hardship relief measures, as well as the special arrangements for the events sector, the special fund of the Federal Government for trade fairs and exhibitions, the special fund of the Federal Government for cultural events, the COVID-19 aid programme for professional sport and the KfW special programme, companies affected by the coronavirus protective measures will also continue to receive **financial support**. Since the extended admission restrictions – such as those for retailers as well as cafés and restaurants – may require additional checks, the Federal Government will take into account the corresponding material and personnel costs, for the fixed costs as part of the interim financial help IV package. The Länder welcome the start of applications for the interim financial help IV package, and the prompt payout of instalment payments. The Federal Government and the Länder will take all necessary measures to prevent criminal abuse of the financial assistance.
15. The Federal Chancellor and the Heads of Government of the Länder agree that the rules for social contacts and events adopted in December will continue to apply. The **existing decisions** of the Federal Government and the Länder therefore continue to apply, unless specified otherwise in this decision. All the

measures taken are the agreed uniform **minimum standards** nationwide, and further-reaching measures by the Länder remain possible.

16. The Federal Chancellor and the Heads of Government of the Länder will **meet again** on 24 January 2022 to discuss the situation.

Statements for the record by Bavaria:

1. Bavaria already has very strict regulations in place to combat the coronavirus pandemic, going far beyond the regulations of many other Länder. In Bavaria, there is already a wide-ranging FFP2 mask requirement; bars, pubs and discos – which are classified as particularly high-risk in terms of infection – are completely closed; and 2GPlus was introduced with capacity restrictions for cultural, sporting and other events. In addition, cafés and restaurants are closed in “regional hotspots” in Bavaria.
2. In many respects, today’s decision is less stringent than the legal situation that already exists in Bavaria and some other Länder. Further tightening up of measures that restrict freedom, such as a 2GPlus rule for all cafés and restaurants irrespective of incidence rates, must first be carefully examined on the basis of scientific expertise that is as well-founded as possible. This is not yet sufficiently available. In its statement of 6 January 2022, the Federal Government’s Council of Experts also called for a further intensification of restrictive measures, but only if it is foreseeable that the burden of high infection rates and staff absences will become too high in the coming weeks. In this regard, it is important to keep a close eye on the development of the infection dynamics, in order to be able to act quickly and also with prudence and caution when necessary.

Statements for the record by Saxony-Anhalt:

The Federal Government’s Council of Experts has neither recommended any specific measures to restrict contacts or access, nor has it given medically sound advice to shorten isolation or quarantine periods; it has also not commented on the infection risks associated with dispensing with waiting periods for those who are fully vaccinated, including booster vaccinations.

Saxony-Anhalt holds the Federal Government responsible for the corresponding proposals in items 4 and 8 of today’s decision by the Federal Chancellor and the Heads of Government of the Länder.

Saxony-Anhalt also agrees with item 2 of the statements for the record by Bavaria.