

**Video conference between the Federal Chancellor and the Heads of  
Government of the Länder  
on 25 November 2020**

**RESOLUTION**

**Fighting the SARS-CoV-2 pandemic**

On 28 October, the Federal Chancellor and Heads of Government of the Länder decided on far-reaching temporary measures for November to curb the significant rise in COVID-19 infection rates in Germany and thereby prevent severe cases and deaths. These measures were also designed to prevent the healthcare system from being overwhelmed, as hospitals are reaching their limits, particularly on intensive care wards, as a result of the rising numbers of seriously ill COVID-19 patients.

In another video conference on 16 November, the Federal Chancellor and the Heads of Government of the Länder agreed that on 25 November, they would draw concrete conclusions based on further findings and present additional arrangements for the winter months.

The Federal Chancellor and the Heads of Government of the Länder are grateful for the strong spirit of solidarity and calm behaviour of the German people, who so far have followed this path with community spirit and great consideration despite the far-reaching restrictions it has imposed on their everyday lives. Much has already been achieved as a result of this commitment and responsibility and the trust in the measures.

The measures implemented have meanwhile begun to take effect. Although the number of COVID-19 cases treated in intensive care has continued to rise, the exponential growth curve has been flattened. This is a success as it shows that the

measures we have taken are working. In many parts of our country the 7-day incidence rate is stagnating or even declining in some places.

Based on the latest findings from the data collected, the Helmholtz Centre for Infection Research has established that contacts have been reduced by 40 percent as a result of the measures that have been in force now for three weeks. This has slowed down the exponential growth. Yet, even if the figures stabilise at this high level, the threat is not over by a long way. Infection rates are still too high in many places. The anticipated trend reversal was not achieved in November, with only a “sideways trend” having been observed to date. On 20 November, the Robert Koch Institute (RKI) reported a new record for Germany: 23,648 new infections within 24 hours were reported to the RKI by the health authorities. The actual objective of a significant reduction in new infections has therefore not yet been achieved.

Against this backdrop, the measures implemented on 28 October cannot yet be lifted. A rate of 50 infections per 100,000 inhabitants, which also guarantees that contacts can be traced, has not yet been reached and this rate is still used, as stipulated in Section 28a of the Protection Against Infection Act (IfSG), as a benchmark for decisions on relaxing measures. In order to assess all aspects of the pandemic, other indicators with regard to whether the healthcare system is overwhelmed are used as well as those providing additional information, particularly on infection dynamics, such as the R value or the time it takes for infections to double.

It is therefore still absolutely vital for everyone to avoid all unnecessary contacts and, when people do come into contact with one another, to comply with the AHA+AL protective measures at all times – practising social distancing and good hygiene, wearing face masks, using the CoronaWarnApp, and ventilating indoor spaces.

The Federal Government and the Länder are agreed that keeping schools open for face-to-face lessons is still a top priority in these decisions. The right to education is best provided through face-to-face learning and teaching. This applies to younger children who still have little experience of school and learning, as well as to older pupils who will soon be taking their exams. School is a place of learning, but also a

place of social interaction. For this reason, the Federal Government and the Länder want to keep schools open for as long as possible, while at the same time ensuring that appropriate health protection and infection prevention measures are in place. Other teaching models are to be applied, especially for older pupils, if regional or local infection rates make this necessary.

Against the backdrop of the upcoming Advent and Christmas period, the Federal Chancellor and the Heads of Government of the Länder ask the German people to continue to show solidarity and follow the protective measures through and beyond November in order to further curb the pandemic and protect the health and lives of their fellow citizens. They are aware that the restrictions in the area of culture, leisure, society, the economy, tourism and private life are very hard for the people in Germany. In order to continue to reduce contacts, however, they are unavoidable. All those involved know that these measures are demanding a great deal from the German people – privately, socially and professionally – and that discipline and patience will be severely tested this winter.

The restrictions will be temporary and dependent on infection rates. The targeted use of rapid tests and the availability of a vaccine hopefully in the near future also offer hope and confidence that things will return to normal.

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

1. As the level necessary to prevent the healthcare system being overwhelmed in the long term as well as to ensure comprehensive contact tracing has not yet been reached across the whole of Germany, another joint effort is required.

Everyone is called upon to **avoid all unnecessary contact** and if possible, to stay at home. All non-urgent professional and private journeys, especially holidays abroad, not least in view of the upcoming skiing season, are to be avoided. The Federal Government is requested to take steps at European level to ensure that ski tourism is not permitted until 10 January. In a further effort to

prevent contacts, employers are requested to allow their employees to work from home without a lot of bureaucracy.

The measures adopted for November at the conference held on 28 October 2020 between the Federal Chancellor and the Heads of Government of the Länder will be extended across the whole of Germany until 20 December 2020. Businesses and establishments closed as a result of this decision **will therefore remain closed until further notice**. In particular, cafés and restaurants will remain closed and accommodation in Germany will only be provided for necessary and explicitly non-tourism purposes. **Wholesalers and retailers will remain open**. The requirement to wear face masks will be extended and in future will also apply outside retail shops and in car parks. The German people are urged to do their Christmas shopping during the week, if possible.

In general, the following applies:

- a) in establishments with retail space of up to 800m<sup>2</sup>, a maximum of one person per 10m<sup>2</sup> of space may enter at a time,
- b) in establishments with retail space over 801m<sup>2</sup>, a maximum of one person per 10m<sup>2</sup> may enter at a time in the space up to 800m<sup>2</sup> and a maximum of one person per 20m<sup>2</sup> of retail space in the space over 800m<sup>2</sup>. For shopping centres, the total retail space is to be taken as the basis for the calculation. Through coordinated management of admissions, shopping centres and shops must prevent unnecessary queues forming inside shopping arcades and shopping centres.

Industry and the working world are called upon to observe the rules of hygiene and protection against infection.

The aim of the extension of existing measures is to bring about a significant improvement and reduction in relevant indicators (R value, intensive care capacities, rates of recovery and incidence) across the whole of Germany by 20 December 2020.

The Federal Government and the Länder assume that due to the high infection rates, comprehensive **restrictions will be necessary until early January**

(especially in cafés, restaurants and hotels). They will perform another review and assessment before Christmas.

In order to be able to react appropriately to particular regional situations, it is possible for Länder reporting an incidence significantly below 50 new infections per 100,000 inhabitants within 7 days on seven consecutive days and a **declining trend in incidence** to act differently. This applies unless contradicted by other relevant indicators, such as utilisation of intensive care capacities and the ability of the public health service to operate.

The Federal Government and the Länder will **always assess the latest developments** when implementing the measures in regulations. This process of reviewing incidence rates and if necessary, applying appropriate curbing measures is to be continued through the winter months.

The Federal Government and the Länder stress that, in accordance with the hotspot strategy, a consistent limitation concept must be implemented in all **hotspots** with an incidence of 50 new infections per 100,000 inhabitants per week and above. Additional measures will be required if the infection rates continue to rise. In **particularly extreme situations** when the incidence exceeds 200 new infections per 100,000 inhabitants per week and there is widespread infection, the general comprehensive measures are to be extended further to achieve a significant reduction in infection rates within a short period.

2. In view of the particular challenge posed by the winter months, alongside the need for another joint effort to bring infection rates down to an appropriate level, **special measures will be required**. In order to reduce infection rates in the medium term, further measures are considered necessary from 1 December 2020. These will be implemented by the Länder and if necessary, extended. The process of reviewing incidence rates and if necessary, applying appropriate curbing measures is to be continued through the winter months.

- (1) **Private gatherings** with friends, relatives and acquaintances are to be restricted to one's own household and one further household, with a maximum of 5 people in each case. Children up to 14 years old are not counted.<sup>1</sup>
- (2) Everyone must wear a **face mask** in closed **spaces accessible to the public or frequented by visitors or customers**. This also applies on public transport. A face mask must also be worn in all public places in city centres, including public open-air spaces where people either gather close together or are not just passing through. The authorities responsible for these places will determine which places are affected and how long the restriction will apply.
- (3) **Face masks must be worn at places of work and business**; this does not apply to workers at their own desk or work station as long as a distance of 1.5 metres from other people can be maintained.
- (4) In principle, colleges and universities should switch to **digital teaching** (with the exception of laboratory work, internships, practical and creative training periods and examinations).

These measures will be regularly assessed at future conferences between the Federal Chancellor and the Heads of Government of the Länder.

By way of a joint communication strategy, the Federal Government and the Länder are ensuring that current regulations are transparent and implemented consistently and penalising violations on the basis of the relevant regulations.

3. The **Christmas period** is to be considered separately in terms of regulations for contact restrictions. As a result, maximum limits on the number of people allowed to gather inside and outside for the period from 23 December 2020 to 1 January 2021 at the latest will be increased as follows: up to a maximum of 10 people will be able to meet with close friends or family. Children up to 14 years old are not counted.<sup>2</sup>

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<sup>1</sup> Schleswig-Holstein is maintaining current contact restrictions based on the infection rate across the whole Land.

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With these rules, Christmas and other end-of-the-year celebrations will still be possible with family and friends in this very different year, albeit on a smaller scale. This period is particularly important for family and social cohesion. However, it is also important that we keep the risk of COVID-19 infections to a minimum during these gatherings. It is therefore sensible, wherever possible, to reduce contacts to just those that are absolutely necessary five to seven days before family gatherings, especially with older family members. This includes avoiding private gatherings, trips or unnecessary meetings in public spaces as far as possible and if applicable, taking early Christmas leave or working from home (isolating for a week). If cold symptoms are experienced before Christmas, existing options for testing<sup>3</sup> should be used to make Christmas gatherings as safe as possible. This will be supported throughout Germany by bringing the school Christmas holidays<sup>4</sup> forward to 19 December 2020. We are appealing to the German people to consider this measure for themselves individually and to implement it in the interests and for the protection of the people you would like to see at Christmas.

The Federal Government and the Länder will speak with **religious communities** in order to come to an agreement on religious services and other religious gatherings with the aim of reducing contacts wherever possible. Large-scale religious gatherings must be avoided.

4. At the turn of the year 2020/2021, it is recommended that people forego **New Year's Eve fireworks**. The use of pyrotechnics in busy squares and streets will be banned to prevent the formation of large groups. The competent local authorities will determine which squares and streets are affected. Public firework displays are not permitted.<sup>5</sup>

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<sup>3</sup> People with respiratory illnesses should utilise the option to obtain a sick note from their doctor by telephone, which was reintroduced in October.. The doctor will also discuss with the patient whether his/her symptoms make testing, examination or further treatment necessary, especially in the case of fever or loss of taste or smell. The doctor will also take into account any planned gatherings with vulnerable groups of people. The emergency medical services are always available under the telephone number 116117.

<sup>4</sup> Bremen and Thuringia will retain their individual regulations on the start of the school holiday period.

<sup>5</sup> The Free State of Saxony will call upon its residents and local authorities to exercise particular caution with regard to social distancing at New Year's Eve fireworks.

5. Employers are asked to check as a matter of urgency whether their premises can either be closed by way of **a company holiday or a large-scale switch to working from home from 23 December 2020 to 1 January 2021** in order to implement the principle of “We are staying at home” throughout Germany.
  
6. If individual Länder wish to start gradually **reopening** establishments in compliance with the specifications in Number 1, because they have an incidence significantly lower than 50 new infections per 100,000 inhabitants within 7 days and are exhibiting a downwards trend, they must be guided by the common generally valid protective measures. The benchmark for potential steps towards reopening include maintaining the regulations for avoiding contacts, avoiding closed spaces with poor ventilation, avoiding groups and crowded situations with large numbers of people in one place, avoiding close contact with other people without social distancing and continually wearing a face mask, as well as ensuring digitally supported contact traceability via binding reservations (online or by telephone), with documentation of the contact details necessary to trace contacts, fixed timeframes and entry checks with personalised access confirmations where possible, for events and also in the gastronomy sector. The first places to open should be establishments/services where face masks are always worn and social distancing is always observed. The same applies to open-air events; such events have priority over those within closed spaces. For further steps, it must be noted that the Protection Against Infection Act (IfSG) stipulates that the importance of artistic freedom must be taken into account when restricting the operation of cultural establishments or cultural events. Cultural establishments should therefore be able to re-open as soon as infection levels allow. The Ministers for Culture are tasked with compiling an appropriate strategy which ensures the necessary lead time and sufficient planning security.
  
7. Keeping **daycare facilities for children and schools** open is of utmost importance. Daycare facilities for children (nurseries, crèches, kindergartens, after-school care, etc.) and schools will stay open.

For schools: in regions with an incidence of significantly more than 50 new infections per 100,000 inhabitants, everyone must wear face masks on school premises at all schools where social distancing rules cannot be adhered to / in lessons in secondary schools from Year 7. Schools without infections can be excluded from this. The obligation to wear a face mask in primary schools and Years 5 and 6 may be introduced. In the event of an occurrence of infection with an incidence above 200 new infections per 100,000 inhabitants per week, additional measures for lessons in higher year groups above Year 8 (not including final year groups) which better ensure implementation of the rules regarding masks, hygiene, distancing and ventilation, such as hybrid teaching or alternating schedules should be implemented for the school concerned.

School trips and international exchanges remain prohibited. In order to spread out the arrival of pupils, schools should implement organisational (such as staggering the start of lessons) and, wherever possible, arrange additional means of pupil transport. The Conference of the Ministers of Transport will address this in more detail.

8. More rapid antigen tests should be used in schools to detect chains of infection. In order to keep schools open, uniform **checking strategies in the schools** are recommended for academic years with stable class groups. Retrospective cluster checks form the core of this strategy. The priority is to ensure that the criteria for making decisions and taking action are clear and simple: when a school pupil tests positive, this must be followed by an immediate cluster isolation of the group defined by the health authority (usually the class, providing the health authority has not defined a different group). The isolation should be at home, initially for five days following the day of the diagnosis of the index case. On account of the unconfirmed status of class members in quarantine as a precaution, however, their parents and other members of the household will not have to go into quarantine. Household quarantine will only enter into force if symptoms appear. Teachers will also not be included in the cluster isolation due to the restricted duration and different structure of contact. Low-threshold and symptom-focused diagnostics should be made available to teachers. The

diagnostic clarification will be prepared during the initial five-day quarantine period. The priority is to get the potential infectiousness in the cluster under control without any delay. After the five-day precautionary quarantine, a ruling test by rapid antigen test is conducted, the result of which may permit a pupil who tests negative to return to lessons. The class may therefore resume lessons from day five. It is important to note that weekends also count towards the five days, so the class often only misses three or four days of school. Pupils who test positive will be tested again at three-day intervals to see whether they can return to school. The Federal Government will continue to secure the largest possible quotas of rapid antigen tests for Germany and, in addition, is supporting the development of domestic production capacities.

9. The Federal Chancellor and the Heads of Government of the Länder agree that the **financial support** from the Federal Government and the Länder for the companies, businesses, self-employed people, associations and facilities **affected by the temporary closures** will be continued. The November aid will be extended into December on the basis of the November aid, and the set of rules for the interim financial help III package will be adapted accordingly. This aid to mitigate the economic consequences of the COVID-19 pandemic is essential for companies and employees, and is an important factor in the high acceptance of the necessary protective measures among citizens. At the same time, the aid involves high costs for taxpayers – the federal aid for November alone will be around €15 billion. The Federal Government should continue this aid within the scope of the provisions in the EU state aid law for the duration of the temporary closures in December. Showmen and market traders are to be explicitly included in the relevant funding programmes. Due to the length of time of the restrictions, the scope of state aid for simple, blanket regulations has already been used extensively by many companies. The Federal Government will enter into dialogue with the European Commission about this. The Federal Government will clarify legal questions related to state aid without delay.
10. The Federal Government will extend the aid measures and improve the conditions for those most affected within the scope of **the interim financial**

**help III package** until the middle of 2021 for those areas of the economy that will foreseeably also have to contend with considerable restrictions to their operations over the coming months, without actually closing. This particularly applies to the culture and events industry, self-employed individuals and the travel industry. In addition to aid for the companies, the Federal Government has already also taken steps to address the social concerns triggered by the pandemic with appropriate support by extending the compensation for reduced working hours, for example.

11. **Protecting vulnerable groups** is a core issue for politics. This is why special protective measures have been introduced for hospitals, nursing homes and services, homes for the elderly and the disabled. The Federal Government will arrange the delivery of a total of 15 FFP2 masks (working out at one per week of winter) for these vulnerable groups in December 2020 in exchange for a small contribution. As part of the national testing strategy, 30 rapid tests per month are envisaged per person in need of care for the facility-based testing concepts from 1 December .2020. This entitlement will be increased in stages, depending on availability. The important thing is that residents in these facilities can also receive family visits at Christmas under conditions that are as safe as possible.
12. The Federal Government is asked to provide for even more comprehensive and lower-threshold use of SARS-CoV-2 rapid tests as part of an adjustment to the **testing strategy**, and to amend the testing ordinance accordingly.
13. Effective **vaccines** are crucial to overcoming the pandemic. In the best-case scenario, we can expect the first deliveries of vaccines in December 2020. In preparation, the Länder are setting up vaccination centres and structures in good time. The Federal Government is prepared to do what it can to support the Länder in this task, also by providing staff. The Kassenärztliche Bundesvereinigung (Association of Statutory Health Insurance Physicians, KBV) is working on behalf of the Federal Government to elaborate standardised modules for making digital and telephone appointments for all vaccination centres, including mobile vaccination teams, and will make these available to the Länder. The GMK (Conference of Health Ministers) and the Federal Minister of

Health are collaborating closely, also on issues regarding vaccine information and liability. They have also agreed that the Federal Government will elaborate an electronic procedure for determining vaccination quotas and for post-marketing studies (within the scope of safety of medicinal products) and make this available.

14. Within the scope of the Social Guarantee 2021, the Federal Government will stabilise social security contributions at a maximum of 40 percent, by covering financial needs that extend beyond this amount from the federal budget, at least until 2021. Within this framework, the Government will review what a tax-financed stabilisation of statutory health insurance contributions and artists' social insurance contributions could look like against the background of the higher COVID-19-related additional costs.
15. The Bundestag and the Bundesrat adopted the 3rd Civil Protection Act (Bevölkerungsschutzgesetz) on 18 November, which provides economic **protection for hospitals** that postpone planned operations and treatments in order to keep intensive care capacities available for treating COVID-19 patients. The 3rd Civil Protection Act envisages that the Federal Ministry of Health can adapt the regulations in the law via decrees in line with developments. The Federal Ministry of Health will take an initial inventory soon and, if necessary, make adjustments by decree, together with the council formed in accordance with Section 24 of the Hospitals Act (KHG) and the Land health ministers.
16. With the larger number of rapid antigen tests now available, it is now possible to shorten the quarantine period through the use of such tests. The Federal Government and the Länder therefore agree to set a standard time interval of 10 days for **isolation at home** as a general rule. Shorter quarantine periods relieve the affected citizens and the health authorities and reduce the economic consequences of quarantine regulations for individuals and for the economy. The GMK (Conference of Health Ministers), in compliance with the RKI, is therefore aiming to shorten the quarantine period for contact persons – on condition of a negative test result (rapid antigen test) – from 14 days to 10 days

as from 1 December 2020. The Federal Government and the Länder explicitly welcome this. The RKI's expert recommendations and flow charts for public health services / health authorities will be adapted accordingly. In addition, the Federal Government and the Länder point out **that a contact person who has already been infected with SARS-CoV-2 and has had this confirmed by a test does not have to go into quarantine again.** This is and remains the currently valid recommendation of the RKI.

17. Since its creation, the **Corona-Warn-App (CWA)**, as is usual with software-based technology, has been continually developed, most recently with optional symptom entry and European interoperability. The CWA will receive three more updates in the coming six weeks. This will simplify the warning process and **implement automatic reminders after a positive test when a warning to a person's own contacts has not yet** been issued. A mini dashboard containing current information about the course of infection will be incorporated, the measurement accuracy will be improved by converting to the latest google/apple interface, and the intervals for notifications of a warning will be considerably shortened. Other additions, such as the inclusion of a contact diary and a digital registration function for restaurants and events, are currently being reviewed and should be swiftly implemented in 2021. A joint discussion in December between the Minister-Presidents and Federal Ministers, the CWA developers and the Federal Commissioner for Data Protection and Freedom of Information (BfDI), the Federal Office for Information Security (BSI) and participating scientists will deliberate on further implementation possibilities. These include potential functions for storing optional, additional data in order to improve traceability and exchange with health authorities.

The Federal Chancellor and the Heads of Government of the Länder call upon people to download and actively use the CWA, especially now. All users who test positive for COVID-19 can help make this pandemic more controllable by sending an anonymous warning via the CWA.

18. The following applies to rail travel: those who have to travel despite the restrictions must be offered a reliable option to do so with the chance of keeping sufficient distance from others - adhering to the rules of conduct and health

protection concepts adopted in April. Face mask checks will be intensified, so that many more long-distance trains can be checked every day. The Deutsche Bahn will take additional measures for long-distance rail travel during the COVID-19 pandemic. Seating capacity will be increased considerably by over 20 million seated kilometres per day, in order to allow even more distance between travellers. Seat reservation options will also be restricted.