

**Video conference between the Federal Chancellor and the
Heads of Government of the Länder on 24 January 2022**

DECISION

The "Omicron wave" has reached Germany: the new variant of the SARS-CoV-2 virus (coronavirus) is spreading very quickly and is responsible for the significant increase in the daily number of new infections, which is now well over 100,000 new cases per day. This also increases the 7-day incidence rate, i.e. the number of new infections per 100,000 inhabitants in the last seven days.

In their most recent statement, published on 22 January 2022, the members of the Federal Government's Council of Experts on COVID-19 point out that this rapid spread is especially due to the fact that the protection against infection by previous variants through pre-existing immunity is reduced in the case of the Omicron variant. As a result, the proportion of the population that is susceptible to such coronavirus infections has roughly doubled. At the same time, there is a highly variable regional dynamic.

The Council of Experts also states that measures in place to reduce contacts and the prudent behaviour of the general public in Germany have initially slowed down the steep increase in the number of infections which can be observed in other countries.

The Council of Experts expects a further increase in the number of infections. Regionally, peak 7-day incidence rates of several thousand could be reached.

According to the Council, the extent of the burden on hospitals will largely depend on how the number of cases develops among unvaccinated adults and those above the age of 50. These figures are still comparatively low at the moment: the Omicron variant is particularly widespread in the younger population with many contacts, and far less

widespread among those over 50. However, in the past, infections spread from the younger to the older population. Among those over 50, the vaccination gap remains too large. When comparing the situation in Germany with that in other countries, it becomes clear that the proportion of unvaccinated people among the older population is still very high, numbering around three million. According to the experts, it is particularly these older citizens who often require inpatient treatment in hospital if they become ill with the virus. In some regions, the number of hospitalisations is already showing a trend reversal, with a renewed rise in admissions. With a slight delay, this corresponds with the development observed internationally.

According to the experts, the hospitalisation rate will be lower than for the Delta variant. However, the Council of Experts points out that it would have to be a whole order of magnitude (factor 10) lower than last winter in order to compensate for the anticipated high number of cases and not overwhelm the healthcare system. On the basis of the data currently available, the Council of Experts is not expecting such a sharp reduction in the hospitalisation rate, despite vaccinations. Accordingly, a large number of hospital admissions must be anticipated in the event of further rising incidence rates.

The Council of Experts states that there are already bottlenecks in the hospital and nursing care sectors in some regions because of staff absences due to infections. Therefore, the expected spread of infections to the older population, the infection-related absences in the healthcare sector and the resulting significant burden on the healthcare system remain a cause for concern.

The Council of Experts points out that if a further increase in the incidence rates results in critical levels being reached, such as an excessive hospitalisation rate, then additional infection control measures may become necessary in the future.

The Federal Chancellor and the Heads of Government of the Länder are confident that keeping the current measures in place offers Germany a realistic chance of safely navigating the Omicron wave. They therefore agree that the course taken so far will be maintained, and that the measures in place will be continued consistently, as also recommended by the Council of Experts.

At the same time, the Federal Government and the Länder want to step up the vaccination campaign together.

This is because with an increase in basic immunity among the population to SARS-CoV-2 infections, and a decrease in the number of new infections and hospitalisation rates, the protective measures could be gradually eased in future. The Council of Experts points out that in the long term, it is imperative to close the remaining immunity gaps in society by means of vaccinations. Otherwise, significant new waves of infection and illness can be expected again on a cyclical basis. Against this backdrop, the Federal Chancellor and the Heads of Government of the Länder reiterate the need to introduce general mandatory vaccination.

In light of the current situation, the Federal Chancellor and the Heads of Government of the Länder have agreed on the following:

1. **Continuation of the existing measures:** The Federal Chancellor and the Heads of Government of the Länder agree that the current rules will continue to apply. The development of the Omicron wave will continue to be closely monitored. If there is a danger of the healthcare system being overwhelmed, they will agree on additional infection control measures.
2. **Strategy on easing measures:** The Federal Government and the Länder will develop a strategy on easing measures for the time when there is no risk of the healthcare system being overwhelmed.
3. **Nationwide major events:** The Heads of Government of the Länder agree that there is a need for harmonisation of the existing regulations on holding major events. They instruct the Heads of the State and Senate Chancelleries of the Länder to agree on a uniform regulation by 9 February 2022.
4. **Vaccination:** Vaccination helps. Vaccinations protect against serious illness. They are the best and safest means for society and business to overcome the pandemic. In line with the recommendations of the Council of Experts, the Federal Government and the Länder will step up their vaccination campaign. The Federal Chancellor and the Heads of Government of the Länder call on all members of the public to have a

booster vaccination three months after their second vaccination. Those who have not yet received any vaccination should now get vaccinated immediately. Even the first vaccination protects against severe illness. Enough doses of the mRNA vaccines from Moderna and BioNTech are available. Vaccination is easy and available everywhere at no cost. The Moderna vaccine is used primarily for all those over the age of 30. The BioNTech vaccine is available for children as well as those up to the age of 30. Both vaccines are safe and have proven their worth millions of times. With the Novavax vaccine, a protein-based vaccine will be available in addition to the two mRNA vaccines from the end of February onwards.

5. **Tests:** The currently high number of new infections – and the expected further increase – will lead to shortages in the availability of PCR tests. In some areas, laboratories are already overwhelmed. Therefore, in the event of shortages, it will be absolutely essential to prioritise testing.

The Länder acknowledge the decision by the Conference of the Ministers of Health that the limited PCR tests available should be prioritised for vulnerable groups and those who care for and treat them. In other words, particularly for the staff in hospitals, in medical practices, in nursing care and institutions working in the area of integration, along with people who are at risk of serious illness. In these cases, a suspected COVID-19 infection should continue to be confirmed by a PCR test. Likewise, PCR tests should be used for high-risk patients (the elderly, those with comorbidities, immunosuppressed patients) to enable early treatment, and if appropriate, antiviral therapy.

The Federal Minister of Health will develop a modified testing regime, in consultation with the health ministers of the Länder, and will amend the national testing strategy and the coronavirus testing regulations accordingly. At the same time, every effort must be made to increase the PCR testing capacity.

6. **Quarantine and isolation:** The Federal Chancellor and the Heads of Government of the Länder welcome the announcement by the Federal Ministry of Health and the Robert Koch Institute (RKI), that in view of the shortages of PCR tests and due to the new findings on the disease progression of the Omicron variant, the rules for

the isolation of sick employees in hospitals, nursing homes and institutions working in the area of integration are to be adapted. The general rules will also apply to them in future: isolation after a proven infection can be terminated after seven days by means of a certified lateral flow test (with proof of the negative result), if the person is free of symptoms for the preceding 48 hours. Without a test, the isolation ends after 10 days. Contact persons can also get tested to be released from quarantine after seven days by means of a negative lateral flow test. Individuals who have full vaccine protection through the booster vaccination (3 of 3) are to be exempted from the quarantine requirement for contact persons; this will also apply to comparable groups (newly vaccinated and recovered persons, etc.).

7. **Recovered and vaccinated status:** The Heads of Government of the Länder acknowledge the announcement by the Federal Minister of Health that due to their considerable impact, any decisions regarding vaccinated and recovered status made by the Paul-Ehrlich-Institut (PEI) and the Robert Koch Institute (RKI) in the context of the amended COVID-19 Protective Measures Exceptions Ordinance (SchAusnahmV) will in future be announced and justified in good time, well before their entry into force. They assume that the Federal Government will make the appropriate provisions.

8. **Contact tracing:** In view of the currently high daily number of new infections, the limited capacities of the health offices and the good protection enjoyed by people who have received a booster vaccination, prioritisation is also sensible and necessary when it comes to tracing the contact persons of those infected. The Federal Chancellor and the Heads of Government of the Länder ask the Conference of Health Ministers to promptly develop workable regulations for this in cooperation with the Robert Koch Institute (RKI).

The Federal Chancellor and the Heads of Government of the Länder ask all members of the public to deal with any illness responsibly. They should inform their own contact persons and use the available electronic tools for contact tracing.

9. **Protection of old people's and nursing homes:** The Länder will collect the necessary data on the vaccination rate of residents and staff in old people's homes,

nursing homes and institutions working in the area of integration. The Federal Ministry of Health is examining the options for comprehensive monitoring.

10. Critical infrastructure: Together with the operators of critical infrastructure, the Federal Government and the Länder are continuously monitoring the expected effects of the rapid spread of the virus variant, and will take immediate appropriate measures if necessary. Many areas of critical infrastructure are prepared for a high level of staff absence and have adapted their plans accordingly. The measures taken have helped ensure that essential services have not been at risk so far.

11. Digitalisation: In a second statement, issued on 22 January 2022, the Council of Experts recommended short and medium-term measures concerning the digitalisation of the healthcare system. The Federal Chancellor and the Heads of Government of the Länder underline the urgency and ask the GMK (Conference of the Ministers of Health of the Federal Government and the Länder) to promptly deal with the recommendations of the Council of Experts. The GMK is also asked to submit a report by the end of February 2022 on the implementation of the Pact for the Public Health Service and on the introduction of the German Electronic Reporting and Information System for Infection Protection (DEMIS) in hospitals. In the short term, the digital applications for proof of vaccinated or recovered status (especially the Corona-Warn-App and CovPass-App) must be developed further in order to be able to easily check compliance with the 2G or 2GPlus regulations.

12. Financial assistance measures and reduced hours compensation benefits: Despite the pandemic, the labour market remains stable. The number of employees subject to social insurance contributions is high. Employees and businesses will continue to receive support through the extension of the financial assistance measures and the special arrangements for reduced hours compensation benefits until 31 March 2022. The Federal Government and the Länder agree that a decision must be made promptly on the continuation and structuring of the financial assistance and special arrangements. To this end, the Federal Government will present a proposal by the next meeting, taking into account the further development of the infection rate and the measures to curb the COVID-19 pandemic.

13. The next meeting between the Federal Chancellor and the Heads of Government of the Länder: The next meeting will take place on 16 February 2022, unless the infection rate makes an earlier meeting necessary. The Head of the Federal Chancellery and the Heads of the State and Senate Chancelleries will discuss the situation regularly.

Statements for the record by Baden-Württemberg and Hesse:

1. Baden-Württemberg and Hesse call on the Federal Government to promptly examine the establishment of a central vaccination register in order to support the current vaccination campaign in Germany. This will lay the foundations for a more effective response to future waves of infection.
2. A vaccination register would also be an important element of administrative modernisation and a central building block for the digitalisation of healthcare, through the possibility of a link to digital medical records.
3. Initially, in the short term, a "digital vaccination passport" with voluntary registration of all vaccinations should be envisaged. Legal options must be examined on how this can also be made mandatory in the event of a pandemic.

Statements for the record by Thuringia:

As a result of the case law in the Länder, and in view of the recommendations by the Council of Experts to continue implementing regulations and to be able to quickly tighten up regulations if necessary, Thuringia expects a federal regulation on further pandemic protective measures. These include 2G and 2GPlus regulations, as well as uniform implementation regulations for institution-based mandatory vaccination.

Thuringia also asks the Federal Government to immediately provide details on the volumes of the protein-based vaccine Novavax that can be supplied to the Länder, and to ensure that it can be made available on a prioritised basis to healthcare workers affected by mandatory vaccination.

Statements for the record by the Free States of Bavaria and Saxony, as well as the Länder Hesse and North Rhine-Westphalia on Item 12:

1. The Free States of Bavaria and Saxony, as well as the Länder Hesse and North Rhine-Westphalia consider an early decision on the continuation of the reduced hours compensation benefits beyond 31 March 2022 to be necessary.
2. The Free States of Bavaria and Saxony, as well as the Länder Hesse and North Rhine-Westphalia consider it necessary to extend the financial assistance measures to municipal enterprises.