



Translation

Press release

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Telephone conference between Federal Chancellor Merkel and the Heads of Government of the Länder on 6 May 2020

Measures to mitigate the COVID-19 epidemic

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

The exponential rise in the number of infections in Germany at the beginning of March demonstrated the highly infectious nature of the SARS-CoV-2 virus.

Nevertheless, Germany has managed, thanks to drastic restrictions to public life, to considerably reduce the number of new infections per day.

The number of new infections has remained low also after the first restrictions were eased step by step from 20 April. As of today, no new momentum in the rate of infection is discernible. This is particularly due to the fact that members of the public have, with a very high level of personal responsibility, abided by the restrictions on social contacts as well as the hygiene and distancing regulations.

The Federation and the Länder are therefore taking a major step towards a further easing of restrictions today, particularly in order to safeguard the educational opportunities of young people, to continue to mitigate the economic damage caused by the efforts to contain the virus and to limit the measures restricting freedoms for members of the public to what is absolutely essential.

In so doing, the Federation and the Länder have together set out a roadmap towards a gradual easing of restrictions. If the number of newly infected persons remains low in view of this second major easing of restrictions, the Länder shall take the remaining steps in their own responsibility on the basis of hygiene and social distancing concepts drawn up by the specialised ministers' conferences, taking into account the specific characteristics of the Länder and the respective rate of infection.



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With each additional degree of easing of restrictions, it is all the more important that distancing and hygiene regulations continue to be strictly adhered to as the increasing number of contacts heightens the risk that new chains of infection could develop. Such chains of infection must be quickly detected and broken. The public health service is making a key contribution in this regard, for which the Federation and the Länder would like to thank all staff members working in the healthcare services as well as the many people active in the area of contact tracing.

In addition to contact tracing by the public health service, the timely introduction of local restrictions is of great importance in the event of the rate of infection gaining momentum in specific regions in order to prevent similar rates across Germany, thus leading to the reintroduction of nationwide restrictions.

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

1. The joint decisions and the accompanying decisions of the Head of the Federal Chancellery and the Heads of the State Chancelleries, as well as the decisions of the Cabinet Committee on COVID-19, shall continue to apply unless other stipulations are made below.
2. The most important measure, especially in view of the easing of restrictions, remains to keep our distance from others for a long time to come. It therefore remains crucial that members of the public maintain a **minimum distance of 1.5 metres** when in public places.

This measure is being supplemented by an obligation to wear a mask in certain public areas. The contact restrictions are to remain in force until 5 June. However, in view of the low infection rate, people are to be permitted to **visit public places** not only on their own or with members of their own household or one person not living in their household, but also with members of another household. Decisions already made shall remain unaffected by this.

3. The risk of the rate of infection gaining momentum increases particularly when an extensive easing of restrictions is undertaken. High infection rates were often exacerbated by local events at the beginning of the pandemic, before then spreading further. The Federation and the Länder are therefore continuing to build up rapidly available support measures for particularly affected regions



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and to liaise closely on this matter with the federal and Land crisis task forces.

From a certain level onwards, a regional dynamic with high numbers of new infections and a rapid increase in the infection rate must be responded to immediately with **restrictions** in the region in question.

For this reason, the Länder will ensure that in districts or urban municipalities with a cumulative rate of more than 50 new cases of infection per 100,000 inhabitants within the previous seven days, a concept on comprehensive restrictions will be immediately implemented in cooperation with the relevant Land authorities.

The state health authorities shall report to the Robert Koch Institute to this end. In the case of a localised and clearly identifiable occurrence of infection, for example at an institution, this restriction concept may apply to this facility only. In the case of a regional outbreak across a more widespread area with unclear chains of infection, general restrictions must be consistently reintroduced at the regional level.

These measures must be maintained until the level remains beneath this figure for at least seven days.

In addition, restrictions on non-essential travel to and from particularly affected regions are also required at the latest when the number of infections continues to rise and there is no certainty that the chains of infection have already been broken comprehensively.

4. The **use of digital “contact tracing”** is an important measure with a view to supporting the rapid and most comprehensive tracing of contacts. With regard to the development of an app to this end, the Federation has now decided to pursue a decentralised approach and to facilitate the use of this app by members of the public in accordance with the so-called “double voluntary” principle. This means that European and German data protection regulations are strictly adhered to and only contacts from the past three weeks that are relevant in epidemiological terms are saved in anonymised form and exclusively on the user’s mobile phone without recording the user’s movement profile. In addition, not only the use of the app shall occur on a voluntary basis, but also a possible data transfer to the Robert Koch Institute for the purpose of improving the app as well as for epidemiological research shall be voluntary. If users do not share this data, then this has no negative impact on their scope for using the app.



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The app will be provided in a transparent and “open source” manner. As soon as a widely applicable software (app) is available, it will be important that a large section of the population uses this technology in order to swiftly establish if they have come into contact with an infected person so that they can quickly respond to this. The Federation and the Länder will call on members of the public to use this app.

5. **Schools** shall gradually enable all pupils to return through implementing appropriate hygiene measures and the observance of distancing regulations. These regulations apply not only to teaching, but also to breaks and to getting to and from school.

The resumption of teaching in the form of part-time classroom attendance for pupils has begun and is to be continued in further steps in accordance with the decision of the Standing Conference of the Ministers of Education and Cultural Affairs of the Länder in the Federal Republic of Germany. These steps fall within the competence of the Länder. The aim is, depending on the rate of infection, to enable every pupil to attend school at least once before the summer holidays. At the same time, digital teaching concepts and services are to be developed further.

6. In accordance with the decision of the Standing Conference of the Ministers of Youth Affairs of 27 April 2020, **childcare** will be introduced in all Länder by 11 May at the latest by means of a flexible and gradual extension of emergency childcare. This will ensure that, by the summer holidays, every child due to commence school will be able to attend his or her kindergarten again before the end of his or her time in kindergarten. The Länder will determine the details.

7. The Federation and the Länder have already agreed that special protective measures will be taken in **hospitals and care and retirement homes, as well as centres for people with disabilities** in accordance with the respective local conditions and the conditions at the institutions in question, drawing on external expertise. It was emphasised that it must also be taken into account that regulations to this end must not lead to the total social isolation of those affected. In light of the low rate of infection, it has now been decided that a provision shall be included in all concepts or general administrative acts issued on contact restrictions with regard to these institutions that will enable each patient or resident of such an institution to be



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visited by a defined person on a regular basis, provided that there is currently no ongoing SARS-CoV-2 infection at the institution.

8. We want to ensure **safe working practices** during the pandemic in as wide a range as possible of industry and small and medium-sized enterprises. Employers have a particular responsibility for their staff in order to protect them from infections.

Chains of infection that develop in a company are to be identified quickly. With this in mind, the Federation and the Länder have already decided that each and every company in Germany must implement a hygiene concept based on an adapted risk assessment and company pandemic planning. This continues to apply. We continue to live in a pandemic, which is why unnecessary contact between staff and with customers must be avoided, general hygiene measures must be implemented and the risk of infection in the event of necessary contacts must be minimised through special hygiene and protective measures.

Companies remain called on to enable staff to work from home wherever possible. Health and safety authorities and accident insurance companies will advise firms on this and conduct inspections. The Federal Ministry of Labour and Social Affairs, together with the social partners, the Länder and the DGUV (German Social Accident Insurance), has presented a concept setting out essential rules to this end.

9. All **shops** can reopen, subject to conditions for hygiene, organising admission and preventing queues from forming. It is important in this regard that a maximum number of people (customers and staff) be specified with relation to the size of the shop floor, which is intended not only to reduce the risk of infection in these shops by ensuring that distance between people is kept, but also to limit the number of people in public and on public transport as a whole.

10. Sport and training in **recreational sport out of doors** is permitted once again under the conditions envisaged in the decision taken by the Ministers of Sport of the Länder regarding the gradual resumption of training and competitive sports.

11. The special status of professional sportspeople requires – also in legal terms – separate consideration. The Federal Chancellor and the Heads of Government of the Länder consider the resumption of fixtures in the **first and second Bundesliga divisions** for the 36 clubs



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eligible to compete, at their own expense, to be permissible from the second half of May. The DFL will stipulate specific dates for fixtures. The comments on the DFL's safety concept by the Federal Ministry of Labour and Social Affairs, the Federal Ministry of Health and the Federal Ministry of the Interior, Building and Community as well as the stipulations contained in the decision by the Ministers of Sport of the Länder of 28 April 2020 must be taken into account in this regard. The commencement of playing must, as envisaged in the concept that has been subject to scrutiny, be preceded by a quarantine measure, in the form of a training camp, as the case may be. In the event of testing that may be necessary with regard to playing fixtures, it must be ensured that testing requirements of the healthcare system be treated with priority at all times. The DFB has been asked to come up with viable concepts for the other divisions.

12. The Länder will, in their own responsibility and against the backdrop of the respective rate of infection and characteristics specific to the Länder, reach decisions on the gradual opening of **bars and restaurants and the accommodation sector for tourist use** (in particular hotels, guest houses and holiday homes) subject to conditions on the basis of the common hygiene and social distancing concepts of the Standing Conference of the Ministers for Economic Affairs of the Länder.

13. The Länder will, in their own responsibility and against the backdrop of the respective rate of infection and characteristics specific to the Länder, reach decisions on the gradual opening of **theatres, opera houses, concert venues and cinemas** subject to conditions on the basis of the common hygiene and social distancing concepts of the Standing Conference of the Ministers of Education and Cultural Affairs of the Länder.

14. The Länder will, in their own responsibility and against the backdrop of the respective rate of infection and characteristics specific to the Länder, reach decisions on the **gradual opening of the following remaining areas** subject to conditions on the basis of the common hygiene and social distancing concepts of the specialised ministers' conferences:

- Lectures at universities
- The transition from emergency childcare to limited regular operation of childcare facilities in accordance with the decision by the Standing Conference of the Ministers of Youth and Family Affairs

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- Adult education institutions, music schools and other extracurricular activities of public and private educational institutions
- Bars, clubs and discos
- Trade fairs
- Driving schools
- Businesses offering personal care services, such as cosmetics studios, massage salons, tattoo parlours and similar enterprises
- Sport in all public and private indoor sports facilities, swimming baths and adventure pools
- Fitness studios and similar establishments
- The operation of other sport or leisure facilities as well as the resumption of competitive sports
- Smaller public or private events and celebrations as well as events of a non-celebratory nature
- Leisure parks and providers of leisure activities (both indoor and outdoor)
- Amusement arcades, casinos, betting offices and similar establishments
- Places of prostitution, brothels and similar establishments

15. As the Federation and the Länder have already decided, **major events** such as public celebrations, major sporting events with spectators, larger concerts, festivals, village and town fêtes, street parties, wine and shooting festivals and funfairs are currently prohibited. Due to the ongoing unpredictability of the rate of infection, it is assumed that this ban will remain in place until 31 August at least.