

**Video conference between the Federal Chancellor and the Heads of
Government of the Länder
on 21 December 2021**

DECISION

Although the number of new infections with the SARS-CoV-2 virus (coronavirus) has slowed in recent days, we are currently in a very critical phase of the pandemic.

In their first statement, which was issued unanimously, the scientists and other experts of the Federal Government's Council of Experts have made an assessment of the new Omicron virus variant. The 19 experts have noted that the new variant is transmitted much faster and easier from one person to another. In other countries, it has been shown that the number of infected people doubles within 2-3 days. This is an unprecedented rate of transmission. The new virus variant also undermines existing protection against infection. It thus infects significantly more people in a very short time, and also affects more people who have already been infected and vaccinated. This can lead to an explosive spread of the virus.

The scientists of the Council of Experts point out that according to the results of the first studies, the protection against the Omicron variant decreases rapidly, and even persons with immunity can become symptomatically ill. Following a booster dose (booster vaccination) with the currently available mRNA vaccines (Moderna and BioNTech), various studies show good immune protection. It is therefore good that the Federal Government and the Länder immediately launched an extensive vaccination campaign in mid-November, following the recommendation of the Standing Committee on Vaccination (STIKO) at the Robert Koch Institute (RKI), to provide booster vaccinations for adults over 18 years of age. The target of carrying out 30 million vaccinations by the end of the year will be achieved.

Nevertheless, due to the comparatively large vaccination deficit in Germany, which exists especially among adults, a very high disease burden is to be expected due to

Omicron. Hospitals in some regions of Germany have already reached their limits. Patients have to be transferred to hospitals in other regions, and operations that are not urgent have to be postponed. Doctors, nurses and other hospital employees have been stretched to their limits - and beyond - for months.

In addition, the sharply increasing numbers of infections and their consequences could reach such an extent that the functioning of critical infrastructure (KRITIS: among other things hospitals, police, fire brigades, emergency services, telecommunications, electricity and water supply, as well as the corresponding logistics) is restricted.

It is therefore urgent that even more citizens are vaccinated. The vaccination campaign is therefore to be intensified considerably. It targets booster vaccinations, but also first and second vaccinations. This is especially true for older people and others with a known risk of severe COVID-19 progression.

The Federal Chancellor and the Heads of Government of the Länder thank the vast majority of citizens for their responsible behaviour. They know that the long duration of the pandemic and the new Omicron virus variant are a major challenge and imposition for the whole of society. They ask all citizens to take up this challenge together and help fight the spread of the virus. For this to happen, it is necessary to once again significantly restrict contacts with other people. So far, this has mainly affected unvaccinated citizens – now, due to the Omicron virus variant, it also increasingly affects vaccinated and recovered people. If gatherings are held within the permitted framework, rapid tests should be carried out urgently, to reduce the risk of undetected infection.

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

1. The Federal Chancellor and the Heads of Government of the Länder appeal to all citizens who have not yet received a **booster vaccination** to do so as quickly as possible. Experts strongly advise against delaying the vaccination and waiting for the availability of a vaccine adapted to the Omicron variant. Those who have not been vaccinated yet are also urged now to protect themselves and others and to make appointments for their **first and second vaccinations**. In addition to the

mRNA and vector vaccines currently in use, the Novavax vaccine now also provides a protein-based vaccine approved by the European Medicines Agency. With this new offer, the Federal Chancellor and the Heads of Government of the Länder both hope and expect that other people will be vaccinated as soon as possible, and thus make a contribution in solidarity towards overcoming the pandemic.

2. The Federal Government and the Länder ask the providers authorised to carry out COVID-19 vaccinations (doctors, pharmacies, etc.) to participate in the vaccination campaign to the best of their ability. The **vaccination campaign will also continue over Christmas, the period between Christmas and New Year's Eve and on New Year's Eve**. The Federal Chancellor and the Heads of Government of the Länder expressly thank all employees in the healthcare sector for their efforts to combat the coronavirus pandemic. The booster vaccination is of great importance right now. The Federal Government and the Länder want to achieve another 30 million vaccinations (booster, first and second vaccinations) by the end of January 2022. The Federal Government and the Länder will make full use of the vaccination capacities, and, if necessary, will expand them further. Access to vaccination should be quick and easy.
3. The Federal Chancellor and the Heads of Government of the Länder welcome the fact that **vaccination for children aged 5 to 11** is now also approved, and that the Standing Committee on Vaccination (STIKO) at the Robert Koch Institute (RKI) has issued recommendations for the vaccination of children aged 5 to 11. Insofar as this has not already been done, the Federal Government and the Länder will develop and expand vaccination offers specifically for children, in order to provide them with low-threshold access to vaccinations. At the same time, they ask paediatricians to participate in awareness measures and the vaccination campaign.
4. The emergence of the Omicron variant increases the urgency of introducing general mandatory vaccination in February 2022, as envisaged by the decision of 2 December 2021. The Länder ask the Bundestag and the Federal Government to rapidly press ahead with the relevant preparations, and to submit a timetable promptly.

5. The Federal Government and the Länder call on the operators of **critical infrastructures** to immediately review, adapt and secure their respective operational pandemic plans, so that these can be activated at short notice. They will ensure that these steps are implemented for the critical infrastructures operated by the public sector. The Federal Government and the Länder will constantly exchange ideas and work closely with the operators, to ensure that the critical infrastructure is prepared for the challenges posed by the Omicron variant. The Länder will ensure this in close coordination with the Federal Government. The newly-established Federal Government and Länder crisis management team will support this. The Federal Government and the Länder are in ongoing communication with the private and public-sector operators of critical infrastructures, and will intensify this communication in light of the upcoming situation.

6. The virus spreads through person-to-person contact. The extensive **contact restrictions for unvaccinated people** that have been in place in Germany for several weeks have proven effective. In order to prevent - or at least slow - the spread of the virus, these contact restrictions are still necessary. They therefore remain in effect: nationwide, access to cultural and leisure institutions and events (cinemas, theatres, restaurants and pubs, 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. A current test may also be required in addition (2GPlus). Exceptions apply for persons who cannot be vaccinated and those 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. For **private gatherings** indoors or outdoors, in which persons who are not vaccinated or recovered participate, the following shall remain in effect: 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. Spouses, registered partners and partners in a de-facto marital relationship are considered to be one household, even if they do not have a shared residence. In addition, unvaccinated persons may only be present at their workplace with a test performed that day. Also, the use of local public transport as well as regional and

long-distance trains is still only possible for unvaccinated persons with a test performed that day.

7. In order to curb the new wave with the Omicron variant, further **contact restrictions are also necessary for those who are vaccinated and recovered**. In particular, New Year's Eve parties with large numbers of people cannot be justified in the current situation. Therefore, from 28 December 2021 at the latest, **private gatherings** of vaccinated and recovered persons are only **allowed up to a maximum of 10 persons**. Children up to the age of 14 are not counted as part of this figure. As soon as an unvaccinated person participates in a gathering, then the contact restrictions for unvaccinated persons apply: the gathering is thus restricted to the own household and a maximum of two persons from another household.
8. The Federal Chancellor and the Heads of Government of the Länder ask all citizens to **enjoy the Christmas festive season responsibly**. During family celebrations, the number of contacts should be limited independently, and the rules for distancing should be followed. Of course, the usual hygiene measures such as the wearing of masks and regular ventilation should also be implemented. The Corona-Warn-App should be used. In order to protect people in the immediate social environment, they call for a test to be carried out before meeting other family members, friends and relatives. In this way, Christmas can be celebrated together and safely.
9. At all gatherings with multiple persons from outside of the own household, a **precautionary test** is recommended – also for vaccinated persons – not only during the Christmas festive season and at New Year. This is especially important for gatherings with elderly people.
10. The Federal Chancellor and the Heads of Government of the Länder remind citizens of the agreed **ban on gatherings on New Year's Eve and New Year's Day** and the **ban on fireworks** in areas frequented by many people, to be defined by the municipalities. The sale of fireworks before New Year is banned this year. There is a general urgent recommendation not to let off any fireworks, because of the high risk of injury and the fact that there is already an enormous burden on the healthcare system.

11. From 28 December 2021 at the latest, in Länder which have made use of the Länder opening clause, **clubs and discotheques** (dance venues) will be **closed** in indoor areas, and dance events will be prohibited.
12. **Cross-regional major events** will take place **without spectators** from 28 December 2021 at the latest.
13. Through the interim financial help IV package, companies affected by the coronavirus-related protective measures will continue to receive **financial support**. The hardship relief measures, including 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 are to be extended. The Federal Government and the Länder will keep an eye on further developments and exchange views on any potential adjustments required. From the point of view of the Länder, the special needs of municipal companies, the cultural and events sectors as well as companies in the pyrotechnics industry must be duly considered. The payment of financial assistance will be handled by the Länder.
14. In accordance with the system envisaged by the decision of 2 December 2021, the measures described above are the agreed uniform **minimum standards** nationwide. The **existing decisions** of the Federal Government and the Länder continue to apply, unless specified otherwise in this decision.
15. The Federal Chancellor and the Heads of Government of the Länder will **meet again** on 7 January 2022 to discuss the situation. The Federal Chancellor and the Heads of Government of the Länder ask the Council of Experts to update its recommendations in preparation for the meeting. On this basis, the Federal Government will present a plan identifying any further measures necessary to curb the spread of the Omicron variant. At the same time, any adjustments required to the financial assistance measures for the affected sectors will be prepared.

Statements for the record by the Länder Baden-Württemberg and Free State of Saxony:

1. The Länder Baden-Württemberg and Free State of Saxony consider today's coronavirus decisions made during the video conference between the Federal Chancellor and the Heads of Government of the Länder to be insufficient. They do not guarantee sufficient capacity for action to respond quickly to a worsening situation, as predicted by the scientific Council of Experts in its statement of 19 December 2021.
2. The Länder Baden-Württemberg and Free State of Saxony call on the Federal Government and the Bundestag to establish the legal basis as soon as possible, so that the full catalogue of measures of Section 28a (1) IfSG is available once again. In light of the exponential spread of the Omicron variant, Baden-Württemberg's view is that the Bundestag must urgently declare a national epidemic situation once more in the short term.