

**Video conference between the Federal Chancellor
and the Heads of Government of the Länder on 18
November 2021**

DECISION

The pandemic is not over. The number of new infections with the SARS-CoV2 virus and the number of severe cases of COVID-19 are currently rising at a very rapid rate. Some regions are already experiencing a shortage of intensive care beds. Many planned operations are having to be postponed in order to make room for COVID-19 patients.

Despite a successful vaccination campaign, too many people in Germany are still unvaccinated. This puts achieving lasting, nationwide and long-term reductions in infection rates at risk and makes them harder to achieve. It is also why rates of infection among the unvaccinated population are several times higher than among those who are vaccinated. Moreover, it is almost exclusively unvaccinated people who later rely on intensive medical care after developing severe symptoms of the disease.

Vaccination is and remains our way out of this pandemic, now more than ever. It is harder for the virus to spread in regions where many members of the public are vaccinated. Those who have received their vaccinations have considerably higher protection against severe symptoms and they also protect others more against being infected. The majority of the members of the public in our country have already been vaccinated. Those who are hesitant need to be convinced about how important it is to receive the vaccine. Those who are already vaccinated should, in addition, be given a booster jab in the near future.

Other than vaccinations, extra protective measures are required until the spring in order to reduce the number of new cases and the rate of infection. The Federal Chancellor and the Heads of Government of the *Länder* urge members of the public to continue to observe social distancing regulations and hygiene measures, as well as to use face masks, ensure proper ventilation and use the CoronaWarnApp, which we commonly refer to as the AHA+AL rules. Face masks must always be worn where people congregate in confined spaces (e.g. in buses and trains). We will continue to have social distancing and admission regulations along with hygiene concepts suited to the pandemic situation. Demonstrating proof of vaccination, recovery or a test remains necessary in many areas in order to prevent the spread of the virus.

The only way we will manage to defeat this virus is if we all work together.

Against this backdrop, the Federal Chancellor and the Heads of Government of the *Länder* have adopted the following decision:

1. The Federal Chancellor and the Heads of Government of the *Länder* are very grateful to all members of the public who, by getting vaccinated, have each made their own individual contribution towards protecting themselves, their fellow citizens and the entire population and ensuring that our hospitals remain able to function. They **call upon everyone who is still unvaccinated to show solidarity and get vaccinated** against the SARS-CoV2 virus as swiftly as possible. The Federal Government and the *Länder* will reinforce their joint vaccination campaign and continue to provide information and explanations about the risks and benefits of the vaccination.
2. The Federal Government and the *Länder* will **expand vaccination offers** (mobile vaccination teams, vaccination centres, hospitals, low threshold offers, GP surgeries, company doctors, doctors at health authorities and other options). Once the vaccine has been approved at the end of November and is available in the second half of December, children aged between five and 11 should also be offered vaccinations quickly, following individual consultation and risk assessments. The Federal Government agrees to continue providing financial support in the present form until 31 May 2022 for vaccination centres and other vaccination options organised by the *Länder*. More advice and information about vaccinations is to be provided. In addition, the *Länder* have asked the Federal Government to assess the extent to which the group of people authorised to administer vaccinations can be expanded.
3. First and second doses for those who are not yet vaccinated remain crucial to overcoming the pandemic. However, **booster vaccinations** for those who are already vaccinated will also play a major role in the fight against the pandemic. Millions of booster vaccinations now need to be swiftly administered in Germany. The Standing Committee on Vaccination recommends a booster vaccination six months after the last dose, but after five months at the earliest if enough vaccines are available, for all fully vaccinated individuals over the age of 18. The *Länder* will coordinate with the local authorities to create the required capacities together with the system for practising GPs to offer each and every person who would like a booster vaccination the opportunity to get vaccinated at the latest six months after their second dose. This will require a joint national effort, and the vaccination options put in place by the *Länder* will need to be massively expanded. The Heads of the State and Senate Chancelleries will be tasked with presenting a detailed plan for this at short notice, together with the health ministers, before their conference with the Head of the Federal Chancellery on 25 November 2021. Practising GPs and company doctors should also offer booster vaccinations to an intensive degree. The *Länder* will call on all members of the public over the age of 18 to get their booster vaccinations. Initially, letters are to be sent out specifically to all those over the age of 60.
4. Older people and those with existing medical conditions are at higher risk of suffering severe symptoms. Residents in certain facilities – such as **nursing and care homes**,

residential facilities for the disabled and other vulnerable individuals – require special protection. It is therefore necessary, uniformly throughout the country, for all staff members and all visitors at these facilities to present a negative test certificate every day that is not more than 24 hours old. Vaccinated staff members are also required to present a negative test result on a regular basis. These tests may be conducted as self-tests. A monitoring system that is as seamless as possible should check this and also record how many residents in the facility have received a booster vaccination.

We must provide extra protection for these vulnerable groups in particular. The *Länder* consider it necessary to obligate staff members assigned to hospitals, institutions working in the area of integration, nursing and care homes, mobile nursing and care services who come into contact with vulnerable individuals to get vaccinated against coronavirus. The *Länder* have requested that the Federal Government implement this as quickly as possible.

5. The **workplace** is a location where close contact occurs on a regular basis. In light of the accelerated rate of infection, the risk of catching the virus at work, where physical contact to other people cannot be ruled out, is once again high. We therefore need a nationwide stipulation that only people who are vaccinated, recovered or tested (known in Germany as the **3G rule**) can be present at the workplace. Employers should check and document adherence to this rule on a daily basis. In order for this to work, all employers must have the relevant information disclosure rights with respect to their employees. Employers will also continue to offer **free tests** at least twice per week. The practicality of this concept must be monitored within the scope of its actual implementation in the workplace, and adapted at short notice if necessary. **Working from home** should be made possible wherever occupations permit this and there are no occupational reasons for not doing so.
6. Tracing the contacts of an infected person in buses, trams and on the underground, as well as on trains, ferries and planes is more difficult, particularly when rates of infection are high. Therefore, the **3G rule** is to be introduced in addition to the existing obligation to wear a face mask **in local public transport as well as regional and long-distance railway transport**. Passengers who are not vaccinated or recovered must carry proof of a negative COVID-19 lateral flow test with them at all times when using these forms of transport. The test must have been conducted less than 24 hours before the time at which travel commenced. The test certificate must be presented upon request. The *Länder* have considerable questions regarding the practical implementation of such a stipulation. It is highly likely that local public transport will only be used to a limited extent and that funding shortfalls will therefore also arise in 2022. As the **rescue package for local public transport** agreed between the Federal Government and the *Länder* expires at the end of 2021, however, it is necessary to begin short-notice negotiations for a successor arrangement.
7. The Federal Government will provide the *Länder* and local authorities with FFP2 masks and surgical masks, lateral flow tests and other materials to curb the pandemic from its supplies free of charge to support additional groups of the population, where required. These supplies will be distributed free of charge and without red tape to curb the current development of the pandemic and used – both nationally and within the framework of international support measures. Those in the health sector, NGOs, the *Länder*, districts and

local authorities, local public transport, sports associations and third countries in need are particularly effective channels for supplying users with masks.

8. An infection with coronavirus results in severe symptoms considerably more frequently for those who are not vaccinated against it. These individuals pose a much higher risk of passing the virus on to others. This is why **special measures** are necessary and justified. If the reported hospitalisation rate for a particular Land exceeds a threshold of 3 and if they have not already done so, the *Länder* will therefore restrict admission to leisure events and facilities, cultural events and facilities, sporting events and training, restaurants and other indoor events, as well as to all personal care services and accommodation to those who are vaccinated or recovered (**comprehensive 2G rule**) in order to curb the rate of infection. The level of intensity with which measures are implemented will take regional infection rates into account. If the threshold remains below the given figure for five consecutive days, the regulations described above can be lifted once again. Adherence to admission regulations will be monitored consistently and more intensively than to date. Wherever possible, registration with a QR code will be mandated in order to make it easier to trace contacts and break chains of infection.
9. The *Länder* will also make exceptions to and easing of protective measures, including for the vaccinated and recovered, contingent on the presentation of a negative test result (known as the **2G plus rule**) if the reported hospitalisation rate for the respective *Land* exceeds a threshold of 6. This will apply primarily at venues where the risk of infection is particularly high due to the number of people in attendance and because it is difficult to adhere to hygiene measures, especially in discos, clubs and bars. If the threshold remains below the given figure for five consecutive days, the regulations described above can be lifted once again.
10. **Exceptions** to admission restrictions listed in 8 and 9 are to be made for those who cannot be vaccinated and those for whom there is no general vaccination recommendation in order to facilitate participation in events. Exceptions are also possible for children and young people up to the age of 18.
11. In the event of particularly high infection rates with a particularly heavy burden on the public healthcare system, the *Länder* will – subject to approval by the regional parliaments – make consistent use in the particular Land of further options under the German Protection against Infection Act and take necessary measures within the framework of regulations in Land law in conjunction with the Land parliaments (opening clause for federal states) at the latest by the time the reported hospitalisation rate for the particular Land exceeds a threshold of 6.
12. The protective measures described above can only achieve their full effect – and then be lifted more quickly as a result – if they are implemented consistently. This requires **strict monitoring**, for example, of proof that individuals have been vaccinated, tested or have recovered from coronavirus, with appropriate restrictions on admission. Event organisers and venue operators are responsible for this, as negligent monitoring increases the risk of infection and facilitates the spread of the virus. The *Länder* will therefore bring their full range of fines to bear, increase their own monitoring measures and apply firm penalties for

any breaches. In this context, the Heads of Government of the *Länder* welcome the fact that the closure of loopholes in criminal liability for the falsification of health certificates (e.g. vaccination certificates) requested in the decision of the *Länder* of 22 October 2021 is now set to be implemented in law.

13. Comprehensive testing is required to ensure an up-to-date overview of infection rates and to enable chains of infection to be broken. For this reason, **free tests are available to members of the public**. The Federal Government will cover the costs for this. Being particularly careful and mindful over the coming weeks is also a sign of solidarity with those who work in the healthcare system. The Federal Chancellor and the Heads of Government of the *Länder* therefore call on all members of the public – including vaccinated and recovered people – not only to **observe the AHA+AL rules (social distancing, hygiene measures, face masks, ventilation and the CoronaWarnApp)**, but also to take regular tests after prolonged contact with others, including in private settings, and to make use of free public testing.
14. **Schoolchildren and younger children** are suffering acutely from the impacts of the pandemic. The Federal Chancellor and the Heads of Government of the *Länder* agree that any further strain on children and young people must be avoided while, at the same time, keeping them protected as best as possible. The *Länder* will also continue to ensure that testing is carried out regularly and in a child-appropriate manner in educational establishments and childcare facilities in order to ensure that sources of infection can be detected quickly. Using targeted information on vaccinations, the *Länder* will continue to contact staff in daycare centres and schools as well as children and young people aged 12 years and above and inform them about the importance of vaccinations and boosters.
15. **Nursing staff** are shouldering a large part of the burden resulting from the pandemic. They are continuing with their essential work in what has once again become an extremely tense situation. The Heads of the Federal Government and the *Länder* express their deep gratitude and respect for these workers, many of whom are reaching their physical and mental limits and have often exceeded them. The effects of this ongoing strain are being experienced now and are limiting capacity especially in intensive medical care.

Given the particular burden on nursing staff over the past few months, the *Länder* reaffirm their decision of 18 March 2021, which stipulates that basic conditions and remuneration for nursing must be continuously improved on a permanent basis. This issue must be given priority and dealt with immediately as there is no more time to waste.

The latest payment of a care bonus, especially in intensive care, is intended to recognise the commitment of nurses in the currently very challenging situation. The *Länder* request that the Federal Government provide the necessary funds for this.

The Federal Government and the *Länder* refer to existing possible exceptions within the German regulation on thresholds for nursing staff and are reviewing whether other regulations may be necessary.

16. The number of hospitals filled to capacity with COVID-19 patients requiring intensive medical care is rising continuously and very rapidly. It is predominantly unvaccinated patients who are seriously ill and in need of intensive care. As a result, elective interventions are increasingly being postponed once again, which often places a significant burden on those affected. The announcement of a care provision surcharge to **prevent economic disadvantages for hospitals** is a welcome development. The Federal Government will cover the costs for this. Rehabilitation clinics will be incorporated into care for patients infected with coronavirus. The Federal Government will review additional relief measures. In this context, the Heads of Government of the *Länder* confirm their decision of 18 March 2021 on the financing of hospitals, which called upon the Federal Government to review and adjust the system of diagnosis-related groups (DRG system), which is in need of significant reform, in conjunction with self-governing bodies in the healthcare system and the working group from the Conference of the Ministers of Health of the *Länder* in order to avoid future problems.
17. The Federal Government assures the *Länder* that it will continue to provide the best possible support with testing, vaccinations and public health service provision via **support services** provided by the **Bundeswehr and the Federal Agency for Technical Relief**.
18. Alongside the reduced hours compensation benefit, interim financial assistance is the most important instrument for helping companies that are particularly affected by the pandemic. The Federal Government will extend its interim financial help III plus package (including New Start Assistance) and regulations on reduced working hours by three months to 31 March 2022. Working in conjunction with the *Länder*, it will develop further measures to support the Christmas markets managed by the *Länder*, which are particularly affected by coronavirus-related protective measures. Affected companies continue to have the option to take into account seasonal goods that cannot be sold due to the protective measures within the framework of the interim financial help III plus package. The Heads of Government of the *Länder* support the continued entitlement to compensation of parents who have to care for their children for reasons relating to the pandemic in accordance with Section 56 (1a) of the German Protection against Infection Act. They reiterate that this is bound up with the clear expectation, also with respect to the future Federal Government, that the costs involved will be divided equally between the Federal Government and the *Länder*.
19. The Federal Government and the *Länder* agree that the impact of measures taken on the basis of the German Protection against Infection Act will be evaluated against the backdrop of current infection rates at their meeting on 9 December 2021.