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www.afgazad.com

afgazad@gmail.com

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Gregor Link
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German parliament adopts changes to Infection Protection Act

Germany's parliament adopted this week an update to the Infection Protection Act to impose nationwide regulations. The law secured support from 343 deputies from the governing parties, the Christian Democrats (CDU), Christian Social Union, and Social Democrats (SPD). There were 250 "no" votes, from the far-right Alternative for Germany, the Free Democrats and the Left Party, and 64 abstentions by the Greens.



German Chancellor Angela Merkel casts her vote during a meeting of the German federal parliament, Bundestag, at the Reichstag building in Berlin, Germany, Wednesday, April 21, 2021. (AP Photo/Michael Sohn)

The dishonesty of the debate that preceded the majority support for the change was breathtaking. Deputy Chancellor Olaf Scholz (SPD) stated cynically that one could not simply “ignore” that “over 80,000 citizens of this country” have lost their lives to the virus. Federal Health Minister Jens Spahn claimed that the law was “effectively” equipped to “break the third wave.”

AfD parliamentary group leader Alexander Gauland accused the government of establishing a dictatorship, while a far-right mob supported by the AfD ran rampant outside. According to police sources, around 8,000 people participated in various protests, some of which had been banned in advance, and engaged in clashes with the police. More than 200 were arrested.



Right-wing extremist mob in front of the Bundestag (AP Photo / Michael Sohn)

AfD parliamentary group co-leader Alice Weidel paid the demonstrators a visit, allegedly to get “a picture of the scene.” According to media reports, an AfD deputy managed to smuggle members of the “Lateral Thinkers” movement into the parliament. A team associated with the lawyer Martin Haintz allegedly tried to film proceedings from the spectators’ gallery.

In reality, the new law, which was described in the media as a “nationwide emergency brake,” does not create the basis for a shutdown based on medical and scientific criteria. Instead, it increases the incidence rate at which schools are allowed to remain open by 65

percent and grants vast powers to the states and municipalities to dismantle the remaining restrictions. This largely corresponds to the demands of the far-right AfD.

Like the previous measures adopted by the federal and state governments, no worksites were impacted by the regulations. Employers were merely obliged to offer two voluntary tests for all employees each week. This in spite of the fact that a University of Düsseldorf study has demonstrated that regions with a higher percentage of production workers have higher infection rates than others. This indicates that workplaces, like schools, are hotspots for the virus.

The “obligation to work from home,” which was also adopted, only applies if “no unavoidable business reasons are contradicted,” a criterion that is impossible to regulate.

The only concrete “restrictions” contained in the law are contact restrictions and curfews in private life. In addition to the already existing staggered closures of retail outlets, bans will be placed on meeting more than one person from another household or leaving one’s home between 10 p.m. and 5 a.m. But these measures will only apply if the infection rate is above 100 per 100,000 over the previous seven days for three days in a row.

To avoid imposing identically worded regulations agreed at previous meetings between the chancellor and the heads of the state governments, municipalities repeatedly presented false, allegedly “cleaned” incidences in which “easily confined mass outbreaks,” such as in factories, were arbitrarily excluded.

As soon as the incidence declines below 100 for several days, states and municipalities can immediately allow further openings, which is a recipe for the controlled mass infection of the population at a “minimum speed” of 100 per 100,000 residents per week.

To put the murderous scale of this figure into context, it is worth considering the state of affairs in hospitals as well as developments with the pandemic in other countries. Figures from Johns Hopkins University show that the highest incidence rate ever recorded in China was 2. It was 0.4 in Vietnam; in New Zealand it was 10. In Germany, the current incidence rate is 160.

The 68,000 infections recorded overall in the hard-hit Chinese province of Hubei are being surpassed in Germany every two to three days.

The law has especially disastrous consequences for schools: while in-person learning has up to now been halted in most states when the incidence rate surpasses 100, the switch to online learning will now only take place after the incidence rises above 165 for three days in a row. Students are to be taught in full classes up to an incidence of 100.

The Education and Scholarship Union (GEW) and German Teachers Association criticised the 165-incidence limit as “too high” and demanded a reduction to 100, which would merely mean a slower spread of the pandemic.

The current regulations in force at the state level, which were based on an incidence of 100, have resulted in the incidence among children aged five to 14 being between two and four times higher than for the population as a whole in some areas. This was revealed in a recent report from the Robert Koch Institute (RKI). Even these figures reported by local health agencies likely substantially underestimate the extent of asymptomatic spread among children.

As medical experts and scientists have repeatedly noted, an asymptomatic infection does not necessarily translate into an illness free from consequences. The RKI has registered at least 828 COVID-19 hospitalisations among children cared for or accommodated “in daycare centres, youth centres, schools, homes, and holiday camps.”

Despite this, hundreds of thousands of students returned to in-person learning this week with the end of the Easter holidays. This includes students in Berlin, where students in year 7 to year 9 are beginning a hybrid model, and in Baden-Württemberg and North-Rhine Westphalia. Berlin Education Senator Sandra Scheeres (SPD) described the “incidence of 165” as “an arbitrarily chosen number,” and demanded “that other things are taken into account.” Meanwhile, Saxony’s state government has announced that it will keep schools open regardless of the incidence rate.

The Left Party, which voted against the “emergency brake” because its votes were not required for it to pass, is also responsible for the policy of mass infection. The government in Thuringia, which is led by the Left Party, oversees a state-wide incidence of 246, the highest of any German state. The Left Party declared that it would not call for or support a call for mediation in the Federal Council, Germany’s upper house, over the legislation.

Federal Council President Reiner Haseloff (CDU) made clear several weeks ago that the federal and state governments always accepted that children would be infected en masse in open schools. He remarked at a March press conference, “We always made clear that we would have a potential of increasing contacts by 250,000 people.” This was “understood nationwide by everyone, including the chancellor.” By way of justification, Haseloff added that one had to “include daycare and schools,” otherwise one would have had to “write off the entire school year.”

The profits-before-lives policy is meeting with mounting contempt among the population and is exposing capitalism worldwide before the eyes of millions of people. A social media post by Olaf T. from southern Germany was typical. “It is simply sad and disgusting what is happening here in the world,” he wrote on Facebook. “Capitalism has reached the pinnacle of global contempt for humanity and injustice!” While the government refuses to increase the wages of health care workers, according to Olaf, “the shareholders in the health care system ‘award’ each other with fat dividend payouts, and that for ‘doing nothing’!”

The health care conglomerate Fresenius, whose subsidiary company Helios GmbH operates 86 hospitals in Germany, announced an annual increase in shareholder dividends for the 28th year in a row, and announced in the face of “further coronavirus-related burdens” a “new cost-cutting programme” for 2021.

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