

Rationale for Government Resolution No. 212 of 26 February 2021

V In accordance with Section 6(2)(e) of Act No. 240/2000 Coll., the Crisis Act, the government has decided to adopt these crisis measures to resolve the existing crisis situation.

V In connection with the adverse development of the epidemiological situation in the incidence of the COVID-19 disease caused by the SARS-CoV-2 coronavirus, the government issues a crisis measure in accordance with the Crisis Act, the aim of which is to reduce the mobility of inhabitants and thus the related restriction of high-risk contact and reduction of the probability of contagion, this being the substance of all the adopted measures.

The epidemiological situation in the Czech Republic is characterized by the protracted community spread of SARS-CoV-2, which creates conditions for the uncontrolled transmission of the disease to persons with compromised immunity due to age and comorbidities, but there is also a rising trend of illness among persons in younger age groups and persons without risk factors.

The adverse epidemiological situation is currently strongly exacerbated by the spread of mutated strains of SARS-CoV-2, in particular the British variant of the virus, characterized by a heightened capacity for transmission between persons.

However, it must be emphasized that the spread of biological agents has very different characteristics compared to other agents, e.g., the spread of chemical substances. Exposure in this case does not mean only contact with a certain concentration of the substance for a defined time, but is a much more complex process with a number of better or lesser known parameters.

Contagion depends on:

1. Presence of the source of contagion,
2. Actual transmission of contagion,
3. Presence of a vulnerable population.

The incidence and course of disease are also affected by the size of the infectious dose, the transmission mechanism, the entry gateway and the vulnerability of the host.

The most serious epidemics in terms of impact and burden on the population are those caused by person-to-person contagion. The highest contagion rate in the population is reached through airborne spreading, via droplets containing the infectious agent that are released in the patient's space when speaking, breathing, coughing and sneezing. In relation to the ongoing pandemic of the COVID-19 disease and the adopted measures to avert its direct impact on the health of the Czech population, it has been shown that one of the most important tools to influence the ongoing epidemic and stop its uncontrolled spread is to target these individual elements of the epidemic process. The source of infection can be isolated and treated, disrupting the transmission path and protecting the vulnerable individual, for instance through quarantine measures or vaccination, whereas the latter is not currently available in sufficient quantities in relation to the COVID-19 pandemic.

During the epidemic spread of an infectious disease, there is a risk that without the adoption of measures, the infection will spread uncontrolledly through the population, possibly exhausting the healthcare system's capacity for isolation and treatment, with a fundamental impact on the population's health. The most dangerous is parallel spreading, where one infected person simultaneously infects more than one person, thus leading to a massive spread of the infection through the population. The key measures include the possibility of effective disruption of contagion between individuals and across the population (limit congregation, limited provision of selected services, use of protective and disinfectant products).

The only real solution to ensure a change in the very adverse epidemiological situation regarding the incidence of COVID-19 in the Czech Republic is to impose very strict anti-

epidemic measures targeted on the key links in the chain of transmission of SARS-CoV-2 under precisely defined time and systematic conditions.

Given the current intensity of the spread of the SARS-CoV-2 virus, there is a very serious risk that without adopting strict crisis measures, the rising uncontrolled spread of the contagion will lead to the exhaustion of capacities of the healthcare system, with fundamental and often irreversible impacts on public health. A failure to adopt stringent anti-epidemic measures, which will reduce the number of persons infected and those requiring hospitalization, would lead to the exhaustion of bed and staff capacities at hospitals and a further worsening of the condition of patients e.g., with cardiovascular and oncological diseases, who will not receive adequate planned care, which is essential for chronic diseases.

With regard to the fact that the most common focal points in the overall evaluation are school facilities, including kindergartens, the operation of schools has also been further restricted through other crisis measures, whereas the personal presence of pupils at elementary education at primary schools and the personal presence of children at preschool education at kindergartens has been prohibited

The prohibition of in-person teaching of children and pupils at schools also means that care for children and pupils aged 2 to 10 years cannot be ensured along with the provision of in-person education. Due to the lack of ensured care, the legal guardians of these children and pupils would have to ensure their care. If the legal guardians of the children and pupils are employed in occupations, the performance of which is essential for the operation of the state in the adverse epidemiological situation, ensuring care for these children and pupils by their legal guardians could pose a major threat not only to the functioning of the state, but also to the lives and health of the population.

These groups of occupations include employees providing public security and defense of the state, meaning employees of security corps, employees of the municipal police, members of the armed forces and employees participating in ensuring the function of critical infrastructure elements as part of their work duties.

Furthermore, employees providing healthcare and social services, meaning the employees of healthcare service providers, employees of public health protection authorities, the employees under Section 115(1) and other employees in social services pursuant to Act No. 108/2006 Coll., on social services, as amended, social workers assigned to perform social services at regional and municipal offices pursuant to Act No. 108/2006 Coll., on social services, as amended, and social workers and other professionals performing the activities pursuant to Act No. 359/1999 Coll., on the social and legal protection of children, as amended.

Furthermore, these are employees who perform essential public services, meaning employees of the Labor Office of the Czech Republic, employees of the Czech Social Security Administration and district social security administrations, employees of the Financial Administration of the Czech Republic employees of the Ministry of Interior who handle the foreigner residency agenda, and employees of Czech Post, s.p.

Another group of employees essential for performing state activities are employees participating in the functioning of the designated schools pursuant to this crisis measure, meaning pedagogical and non-pedagogical employees of schools and school facilities, whose activity was not interrupted (employees of school facilities for the performance of institutional and protective education, employees of school catering facilities who prepare lunch for pupils with mandatory remote learning).

To ensure the running of this state in this connection, the regional governors and the Lord Mayor of the City of Prague are ordered, in places where such a measure is necessary, to determine a school or educational facility established by the region, municipality or voluntary association of municipalities, the subject of whose activity is the performance of duties in the field of education, which will provide essential care for children aged 2 to 10, whose legal

guardians belong to the nominally stipulated group of employees.