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# Corona Committee Foundation Report (short)

## SARS-CoV2 and the lockdown consequences

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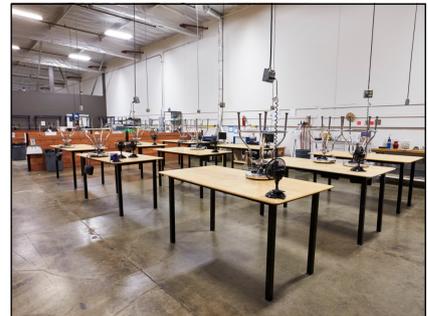
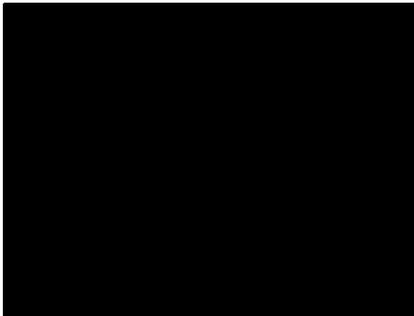
Berlin - September 14, 2020



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## introduction

The Corona Committee was founded in July 2020 by the lawyers Antonia Fischer and Viviane Fischer and the lawyers Dr. Reiner Füllmich and Dr. Justus Hoffmann put on. He is looking for answers to the legal questions as to whether the anti-corona measures of the federal and state governments against possible overloading of the health system ("fl atten the curve") and to prevent SARS-CoV2 deaths - according to the constitutional test standard - are suitable, were necessary and proportionate or whether the collateral damage that occurred was culpably caused. To this end, experts and witnesses were interviewed on the matter in a total of 13 meetings between July 14, 2020 and August 21, 2020. This short report provides an overview of the most important findings from the meetings.



### **Everything stands still - the high phase of the lockdown**

In January 2020, it became apparent that a coronavirus described as novel would spread from China to Germany. At the beginning of March 2020, the media showed frightening images of illness and death in Italy: overcrowded hospitals, coffins, soldiers on emergency duty. The federal and state governments decided to impose a lockdown on Germany on March 22, 2020, which includes the closure of kindergartens, playgrounds, schools, universities, theaters, concert halls, cinemas, restaurants and all shops that are not serving the immediate basic needs of the population. Meetings were forbidden, hygiene regulations were stipulated and social contacts were restricted (ban on visits to old people's homes and hospitals, distance requirement, etc.).

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The measures intervened and in some cases still deeply encroach on the basic rights of the population. Particularly affected are freedom of expression (Article 5, Paragraph 1, Sentence 1, Basic Law), freedom of religion (Article 4, Paragraph 1 and 2, Basic Law), freedom of art (Article 5, Paragraph 3, Basic Law), and the freedom of science and research and teaching (Art. 5 Para. 3 GG), the freedom to choose and pursue a profession (Art. 12 Para. 1 GG), the freedom of assembly (Art. 8 Para. 1 GG), the right of property (Art. 14 GG), especially the right to Established and exercised commercial enterprise, the freedom of movement and the freedom to choose the place of residence (Art. 2 Para. 2 S. 2), the right to education (Art. 26 UDHR), the freedom of political parties to operate (Art. 21 GG), the right to free development of the personality as part of the general freedom of action (Art. 2 Para. 1 GG).

In the public discussion, it seems as if the equation Corona-positive = infected = contagious = sick = doomed, so that apparently a balance has to be weighed between potential deaths and restrictions on the rights of freedom, in short: the grandmother's life versus renouncing singing in the Karaoke bar. It is clear that the legal good of life seems to justify any interference.

In view of the extremely low death rate with SARS-CoV-2, the emotional equation Corona-positive = doomed to die is incorrect from the start. According to government statements, the measures were therefore never aimed at averting a certain catastrophe, but only aimed at warding off risks to the population from possible overloading of the health system or generally counteracting the spread of SARS-CoV-2.

The constitutionally compliant, legally relevant question is therefore: Is the relationship between the reduction in the risk of contracting Covid-19 and possibly dying and the (realized) risk that the countermeasures will have negative effects? Ultimately, it is about weighing up life risks. Only if the remedy is no more harmful than the disease can a measure be justified.

Especially in the case of massive restrictions on freedom, the state is obliged to continuously check whether these are absolutely necessary to avert danger, whether there are milder means and / or whether the collateral damage outweighs health protection, for example. The state must constantly and actively strive to gain knowledge (e.g. with regard to the danger of the virus, increase in lockdown victims) in order to always reduce the encroachments on fundamental rights to the absolutely necessary minimum.

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## Dangerousness of the virus

It quickly became clear that the fears that SARS-CoV-2 could be significantly more dangerous in terms of transferability, disease burden and mortality than influenza proved to be incorrect. A large number of studies have now been carried out on this. As early as April 2020, the Italian health department announced that the average age of the deceased was 83 years and that almost no one had died without previous illnesses. Some of the dead had up to three, some serious, previous illnesses, especially in the heart-lung area. In Germany, too, this year's flu season shows no extraordinary morbidity or mortality data, either in the outpatient or inpatient sector. What is noticeable is that temporary excess mortality was evident in the first few weeks of the lockdown. Overall, medical practices and clinics were used far less and the funeral directors didn't have as much to do this year as, for example, in

2018.

For comparison: According to the Robert Koch Institute (RKI), the flu wave of 2017/18 in Germany led to an excess mortality rate of 25,100 victims from all age groups despite the vaccine. In 2018 there were also almost 30,000 fatalities, including 3,000 road traffic victims. In Germany, around around 50,000 deaths from infections acquired in hospital  
15,000 people.

The symptoms of Covid-19 correspond to those of the flu, other phenomena such as  
For example, the microthromboses observed by the Hamburg pathologist Prof. Klaus Püschel in the context of autopsies carried out contrary to the recommendation of the RKI have not yet proven to be an original SARS-CoV-2 symptom. They are the result of excessive or incorrectly controlled immune reactions and are also known to be complications from other viral diseases. After research by the pulmonologist and epidemiologist Dr. Wolfgang Wodarg, due to a lack of autopsies in immobilized in fl uenza patients (eg in an old people's home) for whom a similar finding could be expected, there are no current comparative studies. For the flu year 1969/70, however, O. Haferkamp described similar effects for flu deaths. The assumption that SARS-CoV-2 would cause symptoms like those in Kawasaki syndrome has not yet been confirmed.

According to the former head physician Dr. Gerd Reuther may not be the cause of many "Covid deaths" that are not approved for the treatment of Covid-19

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have been. In Germany, suggestions on the "emergency use" of drugs and medical products had been spread through medical journals such as The Lancet. According to information from the Italian doctor Dr. Luca Speciani even received a corresponding, written instruction from the health department. In northern Italy, relatives are now suing the regional government for malpractice. In the initial phase, paracetamol, cortisone, antibiotics, an anti-viral agent, hydroxychloroquine and intubation ventilation were standard. The first two drugs regulate the immune system down, which can be useful in individual cases, but not as a standard application, antibiotics are pointless in a virus infection, However, they put a strain on the organism and intubation is very dangerous, especially for older patients, due to the risk of injuries, overpressure damage and suprainfections (with resistant germs). Gentler mask ventilation, which the RKI initially advised against for fear of infectious aerosols, is now successfully practiced, says Dr. Gerd Reuther. According to RKI President Prof. Lothar Wieler, treatment with hyperimmune sera obtained from the blood of recovered patients has proven to be extremely promising in severe cases. Due to a lack of patients since April 2020, the required clinical studies of sufficient quality can no longer be carried out. Gentler mask ventilation, which the RKI initially advised against for fear of infectious aerosols, is now successfully practiced, says Dr. Gerd Reuther. According to RKI President Prof. Lothar Wieler, treatment with hyperimmune sera obtained from the blood of recovered patients has proven to be extremely promising in severe cases. Due to a lack of patients since April 2020, the required clinical studies of sufficient quality can no longer be carried out. Gentler mask ventilation, which the RKI initially advised against for fear of infectious aerosols, is now successfully practiced, says Dr. Gerd Reuther. According to RKI President Prof. Lothar Wieler, treatment with hyperimmune sera obtained from the blood of recovered patients has proven to be extremely promising in severe cases. Due to a lack of patients since April 2020, the required clinical studies of sufficient quality can no longer be carried out. which are obtained from the blood of recovered patients, highlighted. Due to a lack of patients since April 2020, the required clinical studies of sufficient quality can no longer be carried out. which are obtained from the blood of recovered patients, highlighted. Due to a lack of patients since April 2020, the required clinical studies of sufficient quality can no longer be carried out.

Investigations of blood products from the pre-Covid-19 period suggest that over 80% of people are already immune to the novel coronavirus because of its relationship to other cold coronaviruses or have cellular cross immunity, which they also present protects the now circulating SARS coronavirus as far as possible. Children, adolescents, parents, educators and teachers apparently refresh this cross-immunity every year without getting seriously ill, according to Dr. Wolfgang Wodarg. Only people without such an annual virus update, i.e. elderly people living alone or people with an immune system that has been weakened by illness or treatment, are more susceptible to complications. It is important to protect them.

An evaluation of a total of 23 studies carried out worldwide has shown that the corona infection death rate (IFR) for people over 70 years of age is approx. 0.12%, for people under 70 years of age it is only 0.04%. On closer inspection of the statistics, which were compiled on the basis of very different data, it turns out that the infection death rates and their age distribution in fl uenza and Covid-19 / Corona infections do not differ significantly from one another.

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According to the results of the so-called Heinsberg study by the virologist Prof. Hendrik Streeck, smear infections rarely occur. The transmission via aerosols seems to be proven, but not with the suspected, highly aggressive distribution dynamic. The former head of the health department, Dr. Wolfgang Wodarg reports that studies have shown that children are generally hardly a source of epidemic hygiene, because protective herd immunity quickly develops in their environment on a regular basis and without any serious disease progression.

International publications show that approx. 5 to 15% of respiratory diseases are caused or partly caused by cold coronaviruses. Dr. Wolfgang Wodarg also points out that it has long been known that in respiratory viral respiratory diseases very often (up to approx. 50%) are caused by two or even several types of viruses occurring together or in direct succession. With regard to flu vaccinations, the phenomenon has been scientifically proven that the flu vaccination minimizes the risk of contracting influenza. However, those who were vaccinated against the flu suffered from respiratory diseases just as frequently as those who had not been vaccinated. The place in the round of viruses that the flu vaccination has freed up is immediately taken by another pathogen, e.g. rhinovirus or coronavirus, according to Dr. Wolfgang Wodarg. What is striking is that there are officially hardly any flu deaths in 2020 - compared to an average of 8,000 flu deaths and even 25,100 deaths in the extreme year 2017/2018. A so-called attention bias, a particularly concentrated and, in the present case, even financially supported observation, is probably of great misleading significance.

What role SARS-CoV-2 plays in the context of respiratory diseases has remained unclear according to the current status of the investigation in the committee. According to a special evaluation by the Federal Statistical Office, there was no excess mortality in Germany in the first half of 2020. In Germany, an average of 2,500 to 3,000 people die every day. If the number of people whose death is assigned to Covid-19 is transferred to the previous months, then within six months approx. 50 people per day died in connection with Corona. Without the test, Covid-19 might not have been noticed as an independent disease process. The Covid-19 sick and dead would likely be victims of flu,

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## Significance of the PCR test

SARS-CoV-2 is currently to be detected using a PCR test. This tracks down tiny viral gene segments, replicates them again and again and thus makes them measurable. From the gene segments that have been reproduced and detected in this way, conclusions can be drawn about the presence of viruses previously defined as carriers of such segments. The more unique and typical these sections are selected and found, the more likely the presence of the virus type sought.

Individual sections of the sought-after SARS-CoV-2 virus, such as the E gene coding for the virus envelope, occur in many coronaviruses that have been spreading in Europe for a long time. If, as suggested by the WHO for some time and practiced by many laboratories, only these less specific gene segments are determined, the PCR test is particularly often false positive.

Due to the confusing practice of PCR testing, a statement on the epidemiological significance of the SARS-CoV-2 viruses is almost impossible to date. According to the unanimous statement of the specialists and laboratories questioned by the committee, no reliable assessments of the risk of infection and therefore no measures to limit infection can be derived from the PCR test results alone.

The biochemist and Nobel Prize laureate Kary Mullis developed the PCR test in 1983 to amplify DNA sequences in vitro. According to Mullis, his test is not suitable for diagnostic purposes. As the biologist Prof. Ulrike Kämmerer, the immunologist and virologist Prof. Dolores Cahill, the immunologist Prof. Pierre Capel and the microbiologist Clemens Arvay agreed in the Corona Committee, the test cannot be used today to determine whether an active one Virus infection is present. The gene sequences found with the test can just as easily come from a virus infection that has already been overcome or a contamination that does not lead to an infection at all.

Many of the different SARS-CoV-2 tests currently in use and still not officially validated react, as, for example, the INSTAND interlaboratory test of the German accreditation body showed in April 2020, with a blank sample of 1.4% false positive, in a sample spiked with the known coronavirus HCoV OC 43 even up to 7.6% false positive. There are various tests in circulation that, according to the proficiency test,

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A significant 20 to 50% of the tests have a false positive result, which, as described, can also be due to the fact that some of them only target the less specific E gene.

Many German laboratories use so-called house tests on the basis of the test protocols published by the WHO (compare, for example, the so-called Drosten test assay from January 17, 2020). According to European standards, these basically require official validation. In practice, however, this is largely dispensed with because of the “emergency”.

According to the above, it is impossible to determine how many of the 239,507 people tested positive by the RKI - as of August 27, 2020 - were actually infected. The same applies to the 9288 previously reported in connection with corona deceased.

## Reports from other countries

The Covid-19 statistics of the USA (reportedly around 5.3 million infected and 180,000 dead by the end of August) has now been tacitly corrected in such a way that Covid-19 is listed as the sole cause of death in only under 10,000 patients. For the remaining (often very old) deaths, the American health authority CDC assumes that Covid-19 could at best have been a contributory factor because of the numerous previous illnesses. The holistic American doctor and committed chronicler of the Corona incident, Pam Popper, informed the committee that there were and are great disincentives in the USA to diagnose Corona. There are instructions to record patients as such who even have the subjective assumption that they have Covid-19. The hospitals do not receive the standard rate of 13 for the intubation of a SARS-CoV-2 positive. 000 US dollars but three times as much, so 39,000 US dollars. Even people who were not tested at all because they stopped waiting in a test queue were given a positive test result.

Regarding the occupancy of the hospitals, Pam Popper reports that, contrary to what the press claims, there are no patients in the parking lots in New York

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were. Donald Trump's hospital ship was virtually empty. In addition, while the spectacular treatments allegedly took place in atypical locations, completely intact hospitals were closed. Incidentally, no differences whatsoever were found between the number of those who tested positive in the states with and in the states without lockdown.

Dr. Luca Speciani announced that there were also false incentives for diagnosing Covid-19 in Italy. For example, the relatives were paid a funeral allowance of € 300 if the death certificate said Corona. Dr. Speciani also reports that around 7,000 people who were only slightly ill were transferred from the hospitals to poorly staffed old people's homes and isolated there. This alone led to many infections and unclear deaths among the residents. In addition to the departure of a large number of foreign nurses shortly before the lockdown, this was one of the main reasons for the deaths in the homes.

The entrepreneur Ash Zrl reported from Nepal that there are only 70 corona deaths out of 32 million Nepalese. In addition, 11 people committed suicide after receiving the Corona diagnosis. The country experienced a massive lockdown lasting several months with devastating economic effects. Demonstrations are forbidden, and desperate students and artists are on hunger strike, also to protest against the disappearance of 90 million US dollars, which were intended to bring five million Nepalese abroad back home.

South African attorney Anthony Brinks reported a massive lockdown on extremely minor Covid-19 deaths. The official sale of alcohol and cigarettes has been banned. As a result, the state has suffered considerable financial losses and is now forced to fall back on funds from the IMF. The lawyer expressed the fear that South Africa in its economic distress could be forced into a toggle contract here.

Sweden was one of the few countries to overcome the corona crisis without a lockdown. The psychologist and journalist Patrick Plaga reports that life in Sweden went on quietly even during the crisis and that the economy was only marginally affected. Kindergartens and elementary schools were open all the time, only secondary schools and universities were closed.

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Large events were forbidden, people would have adhered to a number of hygiene rules (washing hands, keeping their distance). Masks are not worn in Sweden. The majority of the very old corona victims lived in old people's homes, where protection, as the head of the health department and chief virologist Anders Tegnell admitted, was not sufficiently successful.

Patrick Plaga explains that Anders Tegnell, who had already worked in the same position in connection with the swine flu, always paid attention to calming communication with the population. For example, the number of corona positives on television would not be presented cumulatively without subtracting the (estimated) recoveries as in Germany, but rather only the daily incidence, which is a more realistic representation. Patrick Plaga suspects that Andres Tegnell also wanted to avoid panic vaccination through his reassuring appearance, which caused a lot of damage in the swine flu (including narcolepsy, autoimmune diseases). What is remarkable in Sweden is

The German journalist Gaby Weber reports from Argentina. The country is suffering from such a massive lockdown regime that even borrowing an egg from a neighbor could result in a prison sentence. The courts have been closed for five months, so that no legal protection can be obtained. In the course of the lockdown, many criminals were released, some of whom have now committed new crimes. The lockdown was imposed when there was evidence of zero corona deaths. The Argentines are desperate because their economy is already completely down.

## Health hazard

The aim of the measures in Germany was to reduce the risk of the health system becoming so overloaded that there would not be sufficient treatment capacities for the many sick people, especially those requiring inpatient or intensive care. Germany has over 20,000 intensive care beds; the Corona increase has created up to 30,000 beds.

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According to the constantly updated overview of the University of Konstanz ([www.-corona-vis.de](http://www.-corona-vis.de)), there was no risk of overload at any time. The occupancy rate was mostly well below 70% and many hospitals had to send employees on short-time work. At the Charité, for example, the occupancy rate in March / April was around 60%. The former chief physician Dr. Gerd Reuther confirmed to the committee that many hospitals were underutilized from his own perspective.

**Result:** SARS-CoV-2 and the respiratory disease Covid-19, which may be caused by the virus, represent and represent a low risk of overloading the German health system, so that measures aimed at counteracting such overload are only of limited effectiveness could.



**Nothing works anymore - the lockdown at its peak**

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## Negative effects of the measures

The lockdown in the sense of the overall package of liberty-depriving and liberty-restricting measures decided on March 22nd (including those which, like the ban on large events, were already in effect and upheld), is the most massive, affecting the entire population. Restriction of fundamental rights in the history of the Federal Republic of Germany.

The package of measures has had a large number of negative effects on social, cultural, and social life, on the health of people in Germany and on their economic opportunities.

In order to arrive at an assessment of the proportionality of the measures taken to avert the virus dangers, the committee asked a large number of experts and those affected.

### The situation of the children

According to the expert opinion of the psychologist Elisabeth Sternbeck, the situation of children and adolescents in the corona crisis is extremely problematic. In total lockdown, they were completely torn from their usual social environment outside of the family (daycare center, school) and had little contact with others. Children, were taught by parents who were often inexperienced in this regard and were, for the first time, heavily dependent on the use of digital media for educational purposes. In the lockdown, existing family problems have often intensified. The multiple burdens on families - home office, childcare, corona fears, family closeness, lack of external contacts, existential fears - first caused problems. The children respond to the stress with the development of sometimes great fears and aggression.

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Like the psychoimmunologist Prof. Christian Schubert, Elisabeth Sternbeck cites the government's apparently very precisely implemented communication strategy in the paper "How we can get Covid-19 under control" from the Federal Ministry of the Interior as one of the reasons for the observed traumatization of large sections of the population. There the government is recommended to use a shock strategy in order to motivate people to adhere to hygiene regulations. In particular, the fear of the painful suffocation of loved ones should be invoked, for which one can be responsible if, for example, one does not wash one's hands thoroughly enough. Prof. Christian Schubert points out that psychological trauma leads to immunosuppression,

Elisabeth Sternbeck refers to the particularly impressive experiment of the "still face" with regard to the masks, in which a mother shows her baby a completely immobile face and no longer responds to it through facial expressions. After just two minutes of unsuccessful attempts to evoke a visible reaction from the mother, the baby begins to cry and scream. This experiment shows impressively how important the ability to read faces and the emotional optical reaction through facial expressions is especially for human development.

Tina Romdhani from the "Parents Stand Up" initiative reports on the discrimination that children who are unable to wear masks experience through detention, among other things, and of the discord that different attitudes to this issue sow between people.

## **The situation in the nursing homes**

The lockdown caused great suffering in the nursing homes. Far-reaching bans on visits were imposed, both in relation to relatives and in relation to doctors, physiotherapists, speech therapists, foot care, etc. As a result, the state of health of many people in need of care has deteriorated, sometimes irreversibly. The abrupt change in living conditions - for example, the absence of helping relatives - has put dementia sufferers in particular under great stress and emotional strain. In this situation, many have lost their courage to face life, as the care expert Adelheid von Stös-

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ser reports. The care situation, which is already difficult in many homes, has once again worsened considerably as a result of the measures, as the job supervisor Martin Kusch reports. The "care TÜV" from the medical service of the health insurance funds MDK was discontinued, so that no more official control of the quality of care could take place, moreover the important regulation of the intervention possibility of the relatives and caregivers against grievances was omitted. Many home residents are often calmed down unnecessarily by the overburdened nursing staff with sedatives, with the corresponding negative and sometimes even life-threatening consequences. A relative reports on the extreme conditions in her mother's home, which led to the fact that she could only speak to her 90-year-old demented mother on her birthday through a balcony door that was tilted.

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Martin Kusch describes the situation of the home residents as worse than that of the prison inmates, since in the home it is often not even possible to speak to the residents alone, but only under the supervision of a nurse, which in turn would deduct labor from looking after the home residents.

## The masks

The psychologist Daniela Prousa explains her study, according to which 60% of the people who felt clearly burdened by the prescriptions already experienced severe (psychosocial) consequences. This manifests itself in a greatly reduced participation in life in society due to aversion-related MNS avoidance efforts, social withdrawal, reduced health self-care (up to the avoidance of doctor's appointments) or the intensification of previous health problems (post-traumatic stress disorders, herpes, Migraine).

According to the presentation of the psychiatrist and psychotherapist Dr. Hans-Joachim Maaz reactivates the mask already existing trauma in society and threatens to become a projection object and lightning rod for one's own frustration and stress, which can partly explain the very aggressive reprimands for apparent "mask refusers". Characteristic weaknesses or other misconduct such as antisocial behavior such as theft are assumed or anticipated. The denunciations that reappear in the Corona context are society as a whole.

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socially highly questionable. It is to be feared that, especially in view of the children who have learned behavior that is not at all appropriate to human beings with social distancing, a very large group of people in need of therapy has already arisen and will continue to arise if the problem situation persists.

## Socio-cultural damage

The professor of public law Dietrich Murswiek writes in his report on the legality of the Corona measures: "It is difficult to weight the ideal damage. But they must not be underestimated. Humans are social beings. Social interaction, intellectual, cultural and artistic activities belong to the core area of what defines the human personality - with individual differences, of course - and what distinguishes humans from animals. Restrictions and prohibitions can be relatively insignificant if they are short-lived, but over a long period - Over a longer period of time they impair the possibilities of personal development in a very serious way. "

These aspects, which must be examined in more detail by the committee, include, among other things, the loss of education due to the absence or restriction of school lessons and other educational institutions, the loss of cultural stimuli / experiences due to the closure of theaters, concert halls or opera houses, etc., the elimination of opportunities for musical development through prohibitions that prevent making music together in orchestras or choirs, the loss of community experiences / personal social togetherness through the prohibition of gatherings in associations, prohibition of events, prohibition of gatherings, closure of pubs and much more.

## data protection

In terms of data protection law, many problems have arisen in connection with Corona. According to current law, the PCR test may only be carried out by a doctor or under the supervision of a doctor. The patient has a claim to that

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To find out the name of the responsible doctor and the name of the laboratory commissioned, he must also be informed about what happens to his samples. A genetic analysis of the patient DNA, which is inevitably involved in the sampling, may only be carried out if consent has been given. However, the control actually required is currently not possible here. If the DNA is to be used for research purposes, the patient would have to be informed exactly which specific research project is involved. The exemplarily discussed return slip to the Berlin Charité Vivantes GmbH laboratory, which is linked to the RKI website via the consiliar laboratory for coronaviruses, does not meet these requirements. The committee asked the audience to describe the circumstances of their sampling,

According to experts, the tracking app in its current form is not questionable in terms of data protection law, but it is also not expedient due to the lack of traceability of the contacts. In the course of the introduction of the app, however, an interface was created in the mobile phone operating system that enables the location and tracking of mobile phones.

The attendance lists in the restaurants, some of which are in some drawer, are very problematic in terms of data protection law. The risk that these are also misused for other purposes - e.g. investigative work by the police in other matters - has already been realized in individual cases.

### **Vaccination as a way out?**

According to the government, a normal life should (possibly) only be possible again when a vaccine has been found. There are currently around 170 applications for approval of vaccines from the relevant authorities. The majority of them want to work with technologies that can be regarded as experimental. In this respect, the mRNA / DNA vaccines in particular are new, as the biomedical scientist Clemens Arvey reports. These are partially introduced into the cells by means of electrical stimulation and then use - potentially - all of the body's own cells as a bioreactor for the production of antigens. Even if it is phrased differently in the law, this is de facto genetic engineering

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Manipulation represents a process that has never been routinely used on humans.

Under normal circumstances, it takes six to eight years to produce a safe conventional vaccine. The novel corona vaccine is now to be approved in a few months using a so-called "telescope process", in which actually successive study parts are carried out in parallel, which Dr. Clemes Arvay sees it as highly dangerous and incompatible with the precautionary principle applicable in the EU and Germany.

The (negative) effects of the new technology cannot be estimated, in particular which type of cells and how many of these cells will be genetically converted into mRNA bioreactors. Entering the human germ line cannot be ruled out with certainty either, so that possible damage could only manifest itself late or possibly only in future generations. The extremely shortened observation times prevented the recognition of possible late effects from neoplasms or autoimmune diseases as well as the effect on defense processes in the case of other infectious diseases or vaccinations.

Since SARS it has not been possible to develop an effective and safe vaccine. When trying to develop a corona vaccine for cats, all cats died when they were exposed to the wild virus after vaccination due to an immune reaction that got out of control (so-called excessive antibody-mediated reaction). Experiments with a SARS vaccine suggested that a similar problem may arise in humans. Against this background, the Dutch immunologist Prof. Pierre Capel sees it as extremely dangerous to open up shortened approval routes for the SARS-CoV2 vaccine.

A vaccine has been in production in India for a few months, according to the manufacturer's press release.

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## economy

The economy is suffering extremely from the lockdown and follow-up. On behalf of many, the self-employed soloist and artist Martin Rwanda, the karaoke bar operator Nils Roth, the hospital caterer Hermann Wagner and Martin Reiser, who works as a consultant in the automotive industry, were heard on the committee. Martin Ruland, Nils Roth and Martin Reiser unanimously report that the lockdown has torn the economic ground from under their feet. You were currently (still) living on savings. Nils Roth managed to get a bridging loan. Hermann Wagner suffered a significant drop in sales; In one part of his business activity - he also runs a burger chain supplied according to Demeter guidelines - sales almost completely collapsed. All report that they do not feel well supported by the state in their efforts to cushion the economic difficulties due to the lockdown or the measures. Nils Roth, for example, did not receive any grants, he was not supported by the authorities in developing a hygiene concept, and the unjustified treatment of his large karaoke bar compared to competitors in other Berlin districts alienated him opened again.

The economist Prof. Christian Kreis explained - in accordance with the statements of the economics professor and psychoanalyst Wolf-Dieter Stelzner - that regardless of Corona, the world economy has been on the verge of collapse at least since the financial crisis. In this context, Corona acted like a fire accelerator, but at the same time the lockdown crisis made not only the economic but also a whole host of socio-political malfunctions visible.

Prof. Christian Kreiss expects between 500,000 and 800,000 bankruptcies, especially in the area of small and medium-sized entrepreneurs and self-employed, ie the backbone of the German economy. Prof. Wolf-Dieter Stelzner pointed out that conventional economic theories were not suitable for anticipating the financial crisis of 2009, the less one can now cope with the current, many times more massive crisis. Both experts agree that a completely new approach is required for economics, namely a holistic one that also includes other disciplines such as the social sciences and psychology.

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## constitutional state

The rule of law presents a difficult picture in the context of the corona / lockdown crisis. The legal basis for the Corona ordinances is Section 28 of the Infection Protection Act. The Infection Protection Act was changed on March 25, 2020 with effect from March 27, 2020. At the suggestion of the health committee, the "epidemic situation of national scope" was automatically determined when the law came into force, which is constitutionally highly problematic, as evidenced by a legal opinion by Prof. Thorsten Kingreen from the University of Regensburg.

At the beginning of the lockdown, the courts were severely restricted in their activities, among other things by understaffing of the offices. The Corona ordinances of the federal states have overridden the suspensive effect of the objection for their area of application, so that citizens are immediately referred to the legal action with corresponding costs. In interim legal protection, however, a restricted test standard applies, which is why there has so far been virtually no success. A well-known exception is the lifting of the ban imposed by the Berlin Senator on the large demonstration on August 29, 2020 by the Berlin Administrative Court, confirmed by the OVG Berlin. The main thing may not be anticipated in urgent proceedings,

The problem is that, as lawyer Gordon Pankalla reports, the courts always base their decisions on the RKI's assessment that a "dangerous" situation has to be determined. Although they are actually obliged to at least carry out a plausibility check in accordance with the principle of official investigation, they refuse to even deal with the scientific studies presented by the plaintiffs and with the thin number base, which does not reveal a risk to the health care system. Because of the short duration of the ordinances of only four weeks in some cases, the courts also argue that any restrictions on fundamental rights should be tolerated due to the short duration of the impairment.

A special vote by the Berlin-Brandenburg State Constitutional Court nonetheless comes to the conclusion that even short-term restrictions on fundamental rights are unacceptable because it is not the citizen who has to explain why and how he wants to exercise his freedoms; it is rather the state that has to explain for what weighty reasons he interferes with the rights of freedom. The Federal Constitution

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At least with regard to the exercise of religious freedom, the Constitutional Court has ruled that the legislature must continually review whether the circumstances that allowed a restriction of fundamental rights continue to exist. The courts have so far not followed this view in their judicial practice.

The professor of civil law Martin Schwab commented on questions of public liability. He explained that the state, which forbids an entrepreneur to generate income from his activities, must explain where the money for his (the entrepreneur's) livelihood should come from. Entrepreneurs who bore the state with their tax payments in good times would now have a right to be borne by the state - also financially - in bad times. The state should not let a trader sit on his debts if it forbids him at the same time to generate income that covers costs.

Interventions in the freedom of occupation that lead to a systematic underfunding are just as subject to compensation as corresponding interventions in private property. The state is therefore obliged to give the entrepreneurs financial support in the Corona crisis and must not fob them off with insufficient handouts. This all applies even if the political decision-makers, through no fault of their own, assess the threat situation incorrectly. If it turns out that the decision-makers culpably wrongly assessed the crisis from a certain point in time and imposed restrictions on commercial activity on this incorrect basis, the official liability according to § 839 BGB i. V. m. Art. 34 GG into consideration.

It is certainly possible to discuss whether specific points in time could be identified that would have forced a review of the corona measures - such as the appearance of the reproduction graphic in Epidemiological Bulletin No. 17/2020, from which it emerged that the R -Value had already fallen below 1 on March 20, 2020, or the announcement of the extensive, officially prepared risk analysis of the meanwhile suspended Upper Government Councilor Stefan Kohn from the Federal Ministry of the Interior, which was dismissed by the government as a purely private opinion without the necessary factual dispute . As part of his analysis, Stefan Kohn came to assess the corona crisis as a false alarm. The opportunities it offers It was not used to conduct an open-ended discussion about the real extent of the threat from SARS CoV-2 on the one hand and the massive collateral damage on the other. Should the technical justification of the corona

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If measures turn out to be inadequate in the end, the state actors could be accused of being at fault if they fail to discuss this.

## The role of the media

The media are classically referred to as the fourth pillar of democracy. The State Broadcasting Treaty obliges the public media to report objectively. However, the study by Dennis Gräf and Martin Hennig shows, among other things, that the corona special broadcasts from ARD and ZDF reported very one-sidedly in the sense of virus panic and perseverance slogans, in that they spoke like a mantra about the increasing number of cases, problematic disease courses and corona heroes in reported to the supermarkets, but completely ignored the all-clear voices regarding the danger of the virus and the complete absence of overloading the health system.

The political scientist and journalist Hermann Ploppa reports of an intensive economic and personal interweaving of decision-makers and editors-in-chief of the mainstream press with transnational think tanks, the pharmaceutical industry and political structures that made critical reporting difficult. It also becomes clear that journalists swim with the crowd because of precarious employment relationships and time pressure and cannot (or cannot) question "official" figures, for example. The journalist Patrick Plaga reports from Sweden that an open discussion culture in the journalistic field seems to be more pronounced there than in Germany and accordingly more critical voices are expressed (in the absence of lockdown, however, critical in Sweden means more supporters of a tougher pace) .

The communication scientist and media researcher Prof. Michael Meyen and the media scientist Prof. Johannes Ludwig state that it is quite obvious that a large group of journalists are under pressure because they fear that if they report critical of the government or the pharmaceutical industry, they will quit their jobs to lose. This could have to do with the fact that large investors such as Blackrock or Bill Gates also invest money across the board in the media sector and carry out sponsoring (e.g. € 2.5 million sponsorship of Spiegel online by the Bill and Melinda Gates Foundation) and thus a certain amount of control over them Media. Strange be-

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However, the fact that the public broadcasters ARD and ZDF, which are well served by the public paying the fees, actually report strictly according to government policy.

## Disincentives in the system

False incentives are emerging on a variety of levels, which have favored the emergence of the corona and lockdown crisis.

The health coach Don Dylan from the Next Scientists for Future addresses the fact that the current health system is fundamentally misoriented because effective disease prevention, for example through strengthening the immune system, through community, through joyful experiences is not economically worthwhile. At the moment only apparatus medicine is economically interesting and the related sales of (in part toxic) drugs. If one sees this in connection with the industrial production of sometimes dangerous (eg completely over-sugared) foods, a pathogenic cycle consisting of mutually dependent disincentives becomes obvious: pathogenic, industrially produced foods lead directly into apparatus and drug medicine.

The former head of the economic department, Heinz Kruse, reports on ossified structures in the administrative area and in the political parties, which would make it difficult to abandon a path once taken, to recognize a mistake, let alone correct it.

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## Preliminary result

According to the current state of knowledge, there is very much to suggest that the risk emanating from SARS-CoV-2 was greatly overestimated, but that the risks and damage caused by the measures were not sufficiently taken into account. The government announced in April 2020 that it had not carried out an impact assessment and was not planning to do so. In a case led by the lawyer Jessica Hamed before the Bavarian Administrative Court, the Bavarian State Chancellery let it be known that to this day - in violation of the rule of law, according to which all state action must be verifiable - no documents, no written expert reports for an impact assessment give. This is to be regarded as at least grossly negligent,

The risk assessment shows that a manageable risk (flu-like virus with no potential danger for the health system as a whole) has been fought with a high-risk package of measures. The lockdown and action risks have already materialized to an extreme extent. They did not produce the hoped-for effects, as the infections or the positive test results, as shown at least in retrospect by evaluating the occurrence of death, were already in decline at the time the lockdown was imposed. Since the end of June 2020, the positive test results now seem to be in the range of the false-positive background noise of the test. Due to the ongoing measures (masks, distance requirement and related loss of sales, closure of concert halls, etc. ) More major damage to the economy, health, and cultural and social life of people in Germany occurs every day. Harm and benefit are out of proportion. The encroachments on fundamental rights are therefore disproportionate and therefore illegal.

The governments have not carried out a sufficient, accompanying weighing of interests, as was explicitly imposed on them by the supreme court; on the contrary, they deliberately refrained from monitoring the collateral damage. This means that the governments must be accused of having acted culpably.

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## Committee members

Lawyer Antonia Fischer, medical lawyer, Berlin lawyer and graduate economist

Viviane Fischer, Berlin lawyer Dr. Justus Hoffmann, liability lawyer, Berlin

Attorney Dr. Reiner Füllmich, liability lawyer, Göttingen and California

## Experts in the hearing

*Order by reference in the report*

Dr. Wolfgang Wodarg, pulmonologist and former head of the health department Dr. Gerd Reuther, retired  
chief physician

Dr. Luca Speciani, Chairman of the Medical Network Prof. Dr.

Ulrike Kämmerer, biologist

Prof. Dolores Cahill, virologist and immunologist, Ireland Prof. Piere

Capel, immunologist, Holland

Clemens Arvay, graduate engineer, Austria Pam Popper,

holistic doctor, USA Ash Zrl, entrepreneur, Nepal

Anthony Brings Lawyer, South Africa

Patrick Plaga, psychologist and journalist, Germany and Sweden Gaby Weber,

journalist, Germany and Argentina Elisabeth Sternbeck, psychologist and

psychotherapist Prof. Dr. Christian Schubert, psychoimmunologist

Tina Romdhani, initiative "Parents love" Adelheid von

Stösser, care expert

Martin Kusch, supervisor

Daniela Prousa, psychologist

Dr. Hans-Joachim Maaz, psychiatrist and psychotherapist Prof. Dr.

Christian Kreiss, economist

Prof. Dr. Wolf-Dieter Stelzner, economist and psychoanalyst attorney Gordon Pankalla

Prof. Dr. Martin Schwab, civil law

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Hermann Ploppa, political scientist and publicist

Prof. Dr. Michael Meyen, communication scientist and media researcher Prof. Dr. Johannes

Ludwig, media scientist

Don Dylan, health coach Next Scientists for Future Heinz Kruse,

retired economic department

## Studies / documents (selection)

### *Dangerousness of the virus*

Overview of studies on communicability, disease burden and mortality of Covid-19 <https://swprs.org/studies-on-covid-19>

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Non-pharmaceutical interventions do not appear to affect the virus and overall transmission rates <https://www.prof-muell>

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Epidemic worldwide with and without measures ended after six weeks <https://www.timesofisrael.com/the-end-of-exponential-growth-the-decline-in-the-spread-of-coronavirus/>

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Opinion on evidence-based medicine network <https://www.ebm-netzwerk.de/de/veroeffentlichungen/covid-19>, Update <https://www.ebm-netzwerk.de/de/veroeffentlichungen/nachrichten/covid-19-evidenz-2>

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Country comparison France <https://www.researchgate.net/publication/343775235-Evaluation-of-the-virulence-of-SARS-CoV-2-in-France-from-all-cause-mortality-1946-2020>

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Influenza and Pulmonary Embolism (1970) <https://www.thieme-connect.com/products/ejournals/abstract/10.1055/s-0028-1108874?device=mobile>

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Heinsberg study <https://www.uni-bonn.de/neues/111-2020>

Overview of intensive care bed utilization [www.corona-vis.de](http://www.corona-vis.de)

### *Findings on the PCR test*

Prof. Dr. Marin had table for the PCR test [https://www.youtube.com/watch?v=RFz-BG\\_XMn\\_E](https://www.youtube.com/watch?v=RFz-BG_XMn_E)

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Accuracy of the PCR test, ring test of the German accreditation body <https://corona-ausschuss.de/wp-content/uploads/2020/07/Instand-Ringversuch-Virusgenom-weis-SARS-CoV-2.pdf>

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Hotspot strategy of the federal government from July 16, 2020 <https://corona-ausschuss.-de/wp-content/uploads/2020/07/HotspotStrategieEND.pdf>

Too many false positives <https://www.nytimes.com/2020/08/29/health/coronavirus-testing.html>

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Calculate target accuracy yourself <https://www.bmj.com/content/369/bmj.m1808>

### ***Negative effects of the measures***

KM4 analysis of crisis management (ORR Stephan Kohn / BMI) <http://schluss-now.org/BMI-Corona-Papier.pdf>

Lockdown deaths on the death curve <https://medium.com/@JohnPospichal/questions-for-lockdown-apologists-32a9bbf2e247>

Reports from lockdown victims [www.kollateral.news](http://www.kollateral.news)

### ***The situation of the children***

"Panic paper of the BMI" <https://www.abenkenwatch.de/blog/informations-freiheit/das-internal-strategy-paper-of-the-interior-ministry-on-corona-pandemic>

Still face experiment <https://www.youtube.com/watch?v=apzXGEbZht0>

Social distancing experiment with young rhesus monkeys <https://www.youtube.com/watch?v=OrNBEhzig8I>

Experts sharply criticize the circumcision of children's rights <https://www.bundestag.de/dokumente/textarchiv/2020/kw37-pa-kinderkommission-corona-706358>

### ***The situation in the nursing homes***

SWR contribution, home residents in crisis <https://www.youtube.com/watch?v=svDt7plusqt0>

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Virus trap nursing home <https://www.faz.net/aktuell/wirtschaft/unternehmen/war-um-private-pflegeheim-operator-critic-become-16834288.html?fbclid=IwAR0AOYH-saogBRo6qSgNz0EcJuTun3YhGHfKi6N60Xk-UHMdUZU0Eys>

The suffering of the home residents in isolation <https://www.sueddeutsche.de/politik/coronavirus-pflegeheime-besuchsverbot-die-1.4871274>

### ***The masks***

Study of the psychological and psycho-vegetative effects of the masks <https://corona-ausschuss.de/wp-content/uploads/2020/07/Studie%20zu%20psychologische%20und%20psychovegetativen%20>

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Protection not used <https://www.researchgate.net/publication/343399832> Face -  
[masks lies damn lies and public health of officials A growing body of evidence](#)  
No evidence of effectiveness <https://www.thieme-connect.com/products/ejournals/html/10.1055/a-1174-6591>

***data protection***

Tracking apps guidelines [https://ec.europa.eu/germany/news/20200417-tracking-apps-privacy\\_de](https://ec.europa.eu/germany/news/20200417-tracking-apps-privacy_de)

Beyond 1 million genomes <https://b1mg-project.eu>

***Vaccination as a way out?***

Immune system and corona vaccination [https://www.goldegg-verlag.com/goldegg-verlag/wp-content/uploads/corona-Fehlalarm\\_anhang-immunitaet\\_2020-08-24.pdf](https://www.goldegg-verlag.com/goldegg-verlag/wp-content/uploads/corona-Fehlalarm_anhang-immunitaet_2020-08-24.pdf)

Genetic engineering on humans <https://www.wodarg.com/impfen/>

Clemens Arvay on the dangers of the new vaccines <https://www.youtube.com/watch?v=Pv6tzWfDK-w>

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***economy***

Economic effects of the lockdown <https://www.heise.de/tp/features/Economic-Effects-of-Corona-Lockdowns-4842158.html>

Exploding debts in developing countries <https://www.heise.de/tp/features/Covid-and-the-exploding-debt-of-developing-countries-4883736.html>

Letter of appeal Middle class <https://www.bvmw.de/finance/leadadmin/download/BVMW-Fire-letter-no-second-lockdown.pdf>

***constitutional state***

Legal opinion by Prof. Kingreen [https://www.schlussjetzt.org/Rechtgutachten%20-%20Abs.%201%20fSG-Kingreen\\_0.pdf#](https://www.schlussjetzt.org/Rechtgutachten%20-%20Abs.%201%20fSG-Kingreen_0.pdf#)

Federal Constitutional Court on Religious Practice in Lockdown [https://www.bundesverfassungsgericht.de/SharedDocs/Entscheidungen/DE/2020/04/qk20200410\\_1bvq002820.html](https://www.bundesverfassungsgericht.de/SharedDocs/Entscheidungen/DE/2020/04/qk20200410_1bvq002820.html)

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Legal opinion by Prof. Murswiek <https://dokumente.landtag.rlp.de/landtag/vorlagen/2-12-17.pdf>

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Special vote of the Berlin Constitutional Court <http://www.gerichtentscheidungen.berlin-brandenburg.de/jportal/portal/t/nsu/bs/10/page/sammlung.psml;jsessionid=5D7FE143E375632F78047092D7455F26.jp29?doc.hl=1&doc.id=KVRE001092015&do->

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Constitutional lawyer paper on the encroachment on fundamental rights [https://www.welt.de/politik/deutschland/article206964441 / Erosion-des-Rechtsstaats-Hans-Juergen-Papier-suchtGrundrechte-bedroht.html](https://www.welt.de/politik/deutschland/article206964441/Erosion-des-Rechtsstaats-Hans-Juergen-Papier-suchtGrundrechte-bedroht.html)

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### ***The role of the media***

The narrowing of the world [http://schlussjetzt.org/Hennig\\_Gräf\\_Verengung%20der%20Welt.pdf](http://schlussjetzt.org/Hennig_Gräf_Verengung%20der%20Welt.pdf)

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Journalism and Government Policy Hand in Hand? <https://www.frankfurter-herf-te.de/artikel/hand-in-hand-2975/>

### ***Disincentives***

Bought science <https://www.heise.de/tp/features/Gekaufte-Wwissenschaft-4876172.html>

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