



COMMISSION OF THE EUROPEAN COMMUNITIES

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Proposal for a  
**COUNCIL DIRECTIVE**

on safety requirements and  
attestation of professional competence  
for cabin crews in Civil Aviation.

(presented by the Commission)

## Explanatory Memorandum

1. The adoption of the third aviation package<sup>1</sup> by the Council of Transport Ministers on 23 July 1992 marks the final stage in the liberalisation process of the air transport sector within the context of the completion of the Single Market. The liberalisation of the air transport sector is also a response to the globalisation of this sector and the increasingly competitive international market.
2. The Commission has always maintained that the liberalisation of the civil aviation sector should be accompanied by complementary measures in the technical, safety and social fields in order to ensure fair competition, maintain high safety standards and limit socially regressive consequences.
3. To attain these goals implies, in particular, that common rules on the technical fitness of air operators should be adopted to meet the provision of Annex 6 of the Chicago Convention (I.C.A.O.). The JAA<sup>2</sup> has developed technical requirements known as JAR OPS, which were adopted on 28 March 1995 and which could be transposed into Community law in order to harmonise such requirements throughout the Community. Such requirements include inter alia training standards for cabin crews. These requirements provide that an operator must ensure that this category of personnel is capable of conducting a number of safety related functions e.g. emergency procedures in the event of an accident, the outbreak of a fire on-board an aircraft, depressurisation of the cabin, medical disorder amongst passengers. It also provides that cabin crew should undergo certain medical examinations to ensure their fitness to carry out their duties.
4. When the Commission started to examine how the JAR OPS could be transposed into Community law the union representatives of cabin crews opposed a simple transposition of the provisions of JAR OPS (Sub Part 0). They consider that the traditional ICAO approach as described hereabove is no longer satisfactory and believe that, as is the case for cockpit crew, although air operators have a role to play in the training of their employees, they should not be the only ones empowered to evaluate the fitness of cabin crews. They therefore proposed a system of licensing. They also argued that the content of JAR-OPS (Sub part 0) was not adequate to ensure a high level of safety.
5. Current provisions for the training and attestation of competence of cabin crew personnel within the Community vary widely. In some Member States training requirements and facilities are highly organised and professional competence is recognised by the issue of a State licence. In other Member States the training of cabin attendants is left entirely to airline operators who organise and administer their own authority approved courses and for which no official recognition and/or certification is given.

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<sup>1</sup> Regulation (EEC) Nos. 2407/92, 2408/92 and 2409/92 of 23.7.92.

<sup>2</sup> OJ N° L240 of 24.8.92.

JAA = Joint Aviation Authority

Given this disparity of approach and the diversity of existing systems within the Community, the Commission sought expert advice to establish if there are objective arguments to support one or other of the approaches.

6. A meeting of Government experts was convened in March 1995. They concluded that there are no safety reasons to justify a licensing system. Some experts even suggested that common safety training standards should be kept to a minimum since much of the training required is specific to each airline and even to the type of plane to be flown. The general consensus was to stay with the ICAO/JAA approach to develop common standards as done in JAR-OPS and leave it to each Member State to decide its own system of implementation.

In parallel with this meeting of national experts the Commission, through the Joint Aviation Committee, sought the opinion(s) of the social partners who after lengthy discussions failed to agree. The employer organisations strongly favour the JAA/ICAO approach but can accept common provisions for harmonised safety training. The unions on the other hand consider that to ensure a high level of safety and facilitate mobility of labour within a single aviation market a licensing system is necessary.

7. In the light of the opinions received, and after careful examination of the latest ICAO training manual and current practices in Member States and the Industry, the Commission has reached the following conclusions which it considers will provide a fair and neutral evaluation of the fitness of cabin crew and facilitate the mobility of this category of personnel.

The common safety training standards as laid down in JAR OPS (Sub Part O) compare favourably with internationally recommended standards and the better training practices of industry. They are adequate to ensure a high level of safety.

However, the JAA provisions are not clear enough on the conditions to be fulfilled by air operators, or any other training organisation, to be recognised as suitable for training cabin crew to the above standards. This latter phenomenon is growing as more and more organisations develop commercial training courses for cabin crews which they themselves do not intend to employ. For these reasons it is not possible to rely only on air operator certification to ensure that cabin crews receive the appropriate training to fulfil their safety tasks. Therefore, to maintain high safety standards it is considered that there is a need to ensure that the training organisation, be it company or otherwise based, the training programme and facilities provided, be duly approved and given formal recognition. Requirements for approval and of recognition should be left to the Member States themselves.

For these reasons the Commission considers it appropriate to fix common safety requirements for cabin crews in a text separate from the one dealing with air operators certification, in the same logic which prevails for cockpit crew.

It is also proposed that some form of attestation (recognition) should be given to confirm that the appropriate training has been given and the necessary standards have been achieved. The wording "attestation of professional competence" has been chosen with

care, and after profound reflection, as indicating a concept within which current existing national practices- be they licensing, company certification, or authority approval - can be accommodated and the principle of proportionality be fully respected.

Finally, as the JAR OPS, (Sub part 0), rightly acknowledges, there is a need to ensure that cabin crew meet certain medical requirements in order to fulfil their tasks. In order to maintain fitness standards it is also necessary to require that cabin crew member undergo regular medical examinations, although the details of medical requirements could be left to National Authorities. It is therefore proposed that each National Aviation Authority establish criteria for demonstrating and maintaining medical fitness.

8. As a conclusion the Commission considers it apposite to extract the elements concerning training standards and medical fitness from the JAR OPS (Subpart 0), the remaining provisions of which will be considered for transposition pursuant of Article 4 (1) of Regulation 3922/91 on the harmonization of technical requirements and administrative procedures in the fields of civil aviation<sup>3</sup> and propose a separate legal instrument to meet the fitness requirement for cabin crews.
9. It has to be understood nevertheless, that this proposal is without prejudice to other Community rules on the respective responsibilities of employers and employees. It is recalled in particular that Directive 89/391/EEC of June 1989 on the introduction of measures to encourage improvements in the safety and health of workers at work states that the employer has a duty to ensure the safety and health of workers in every aspect related to work, including training. This Directive states also that measures related to safety, hygiene and health at work may in no circumstances involve the workers in financial cost.

Accordingly, the safety and health training

- on recruitment,
  - in the event of a transfer or a change of job,
  - in the event of the introduction of new work equipment or a change in equipment,
  - in the event of the introduction of any new technology,
- has to be organized and financed by the employer.

In addition, workers or their representatives shall take part in or shall be consulted by the employer on the planning and organization of such training.

10. The Commission has considered the compatibility of the proposal with the principle of subsidiarity by addressing the following questions.

- (a) What are the objectives of the proposal in relation to the obligations of the Community and what is the Community dimension of the problem?

The third aviation package has created a single aviation market in which the operational rules for air services have been largely harmonised. It is also a part of the Community's civil aviation policy to harmonize the rules for social, safety and technical aspects. Cabin crew perform an integral safety role in air transport operations. It is therefore important if high standards of safety are to be maintained as competition intensifies and

new operations enter the market that uniform training standards and medical requirements are established. Moreover Uniform standards will assist the mobility of this category of personnel in the single aviation market.

- (b) Does competence for the planned activities lie solely with the Community or is it still with the Member States?

The proposed action does not relate to an exclusive Community competence.

- (c) Which solution is most efficient in comparison between Community measures and measures of the members States, what added value does the proposed Community action provide and what are the costs of no action?

It has already been widely recognised that in this domain common action is preferable to individual action of Member States. It is the reason why the JAA have developed its JAR-OPS to which all Member States subscribe. Nevertheless the Commission admits, that, consistent with the principle of subsidiarity, common action should be limited to common requirements for training and medical fitness whereby the mobility of this category of staff will be increased.

- (d) What kind of action is at the disposal of the Community ?

As already admitted when adopting Regulation 3922/91 on the harmonisation of technical rules and administrative procedures in the field of civil aviation, common safety requirements must be established by legislative measures.

- (e) Is uniform regulation necessary or is it sufficient to draft a directive which outlines the general objectives whilst leaving execution to the Member States ?

Contrary to other safety related requirements and bearing in mind the answers to the above question (c.), as well as the various practices of Member States as far as recognition of professional competence is concerned, it is considered sufficient to use a directive setting goals that will apply with a degree of freedom for the Member States. The provisions thus respect the different traditions of the Member States whilst setting uniform standards and requirements.

The Commission, for the above reasons, concludes that its proposal is consistent with the principle of subsidiarity.

11. As far as entry into force of the national measures is concerned, the Commission considers appropriate to keep the date of entry into force of common requirements as foreseen by the JAA for the JAR-OPS. This is the reason why the proposed directive foresees that national transposition measures should be adopted by Member States before the 1st April 1998. This could appear to be a short delay for transposition, but since the Commission's proposal is similar in its substance to the requirements contained in JAR-OPS, this should be feasible for Member States.

Accordingly the Commission has prepared a draft Council Directive covering safety requirements for cabin crews and submits it for adoption.

## Contents of the Directive

### Article 1 - Scope

The Directive shall apply to all cabin crew assigned on safety functions on aircraft used by Community carriers and shall apply without prejudice to the fulfillment of obligations under Council Directive 89/391/EEC.

### Article 2 - Definitions

### Article 3.

Respective responsibilities of the Operators and the Cabin Crews.

### Article 4.

Sets down the minimum age requirements and medical provisions

### Article 5.

Lays down the initial, conversion and recurrent training provisions

### Article 6.

Specifies the need for the approval of the training courses and organisations by the National Civil Aviation Authority.

### Article 7.

Provides for the checking and recording of training carried out and for official recognition of the training undertaken.

### Article 8.

Provides for acceptance by a Member State of the training carried out in another Member State of the Community.

### Article 9.

Implementation measures.

### Article 10.

Provides for penalties in event of infringement of the provisions laid down in this Directive.

### Article 11.

Entry into force.

### Article 12.

Formality.

Proposal for a  
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The Council of the European Union

Having regard to the Treaty establishing the European Community and in particular Article 84 (2) thereof.

Having regard to a proposal from the Commission<sup>1</sup>

Acting in accordance with the procedure referred to in Article 189 C of the Treaty in co-operation with the European Parliament<sup>2</sup>

Having regard to the opinion of the Economic and Social Committee<sup>3</sup>

Whereas the completion of the single market requires the existence of an efficient air transport system based on free and fair competition.

Whereas a primary objective of Community Aviation Policy is the maintenance of high safety standards.

Whereas to ensure a high level of safety, minimum training and medical requirements should be prescribed for all cabin crew assigned to safety functions.

Whereas training requirements for cabin crew differ between Member States, whereas in order to provide for common standards and ensure a uniform level of safety and fair competition in the single market and to promote mobility within the Community of this category of personnel, it is better, regard being had to the principle of subsidiarity to take action at Community level.

Whereas it is necessary to check and record all training undertaken and to attest that such training has been successfully achieved.

Whereas attestations of professional competence issued in conformity with this directive shall be accepted by other Member States.

Whereas Council Directive 89/391/EEC of 12 June 1989 on the introduction of measures to encourage improvements in the safety and health of workers at work<sup>4</sup> imposes that

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4 O.J. N° L 183 of 29.6.1989

employers ensure the safety and health of workers in every aspect related to work, including training, and bear the related financial burden.

has adopted this Directive.

## **ARTICLE 1**

### **Scope**

1. This directive shall apply to all cabin crew when assigned to safety functions on aircraft used by Community air carriers, whether the aircraft is registered in a third country or not.
2. The application of this directive is without prejudice to the fulfillment of obligations derived from Council Directive 89/391/EEC.

## **ARTICLE 2**

### **Definitions**

For the purposes of this directive

- a. "Community air carrier means an air transport undertaking within the meaning of Council Regulation (EEC) N°2407/92".
- b. "Cabin crew" means any crew member, other than a flight crew member assigned by an operator to duties in the passenger compartment of an aircraft except for additional crew members solely assigned to non-safety duties.
- c. "Safety functions" means all duties related to the safe operation of an aircraft and the safety of the passengers.
- d. "Attestation of professional competence" means a formal recognition of the training undertaken by a national Civil Aviation Authority of a Member State or any other organisation designated and approved by that Authority.
- e. "Officially approved organisation" means the competent national Civil Aviation Authority or any other organisation approved by that authority to carry out training in conformity with the provisions of Annexes I, II and III and to issue the corresponding attestation of professional competence.

## **ARTICLE 3**

No operator shall assign a cabin crew member to safety functions and no cabin crew member shall accept such duties unless the requirements set out in articles 4, 5, 6 and 7 have been fulfilled.



## **ARTICLE 4**

### **Age and medical requirements**

1. A cabin crew member shall be at least 18 years of age.
2. A cabin crew member, assigned to safety functions shall pass a medical examination or assessment at regular intervals so as to check the medical fitness to discharge his/her duties.

## **ARTICLE 5**

### **Initial, conversion and recurrent training**

1. A cabin crew member assigned to safety functions must have successfully completed an initial course of safety training covering at least the subjects listed in Annex 1.
2. A cabin crew member assigned to safety functions on a specific aircraft must have completed a conversion or differences training covering at least the subjects listed in Annex II.
3. A cabin crew member assigned to safety functions shall undergo recurrent training in line with the provisions of Annex III.

## **ARTICLE 6**

### **Approval of training courses and organisations**

The programme and organisation of the training courses referred to in article 5 shall be approved by the competent National Civil Aviation Authority. The training shall be carried out by an officially approved organisation.

## **ARTICLE 7**

### **Checks, records and attestation of professional competence**

1. During or following completion of the training required, each cabin crew member shall undergo a check covering the training received in order to verify his/her proficiency in carrying out safety and emergency duties. These checks must be performed by qualified personnel.  
Checks shall be carried out following :
  - a. Initial training.

- b. Conversion and differences training.
  - c. Recurrent training.
2. It shall be compulsory for the training organisation and each individual cabin crew to maintain records of all training and checking.
  3. An attestation of professional competence shall be issued by an officially approved organisation describing the training successfully undergone by a cabin crew member.

#### **ARTICLE 8**

Attestations of professional competencies issued in conformity with the present directive shall be accepted by all Member States for exercising the corresponding safety functions on board aircraft operated by Community air carriers.

#### **ARTICLE 9**

##### **Implementation.**

1. The Member States shall bring into force the laws, regulations and administrative provisions necessary for them to comply with this directive before 1st April 1998. They shall forthwith inform the Commission thereof.
2. When Member States adopt these provisions, these shall contain a reference to this Directive and shall be accompanied by such reference at the time of their official publication. The procedure for such reference shall be adopted by Member States.
3. The Member States shall communicate to the Commission the texts of the main provisions of national law which they adopt in the field governed by this Directive.

#### **ARTICLE 10**

Member States shall lay down the systems of penalties for breaching the national provisions adopted pursuant to this Directive and shall take all the measures necessary to ensure that those penalties are applied. The penalties thus provided for shall be effective, proportionate and dissuasive.

#### **ARTICLE 11**

This Directive shall enter into force on the twentieth day after its publication in the Official Journal of the European Community.

#### **ARTICLE 12**

This Directive is addressed to the Member States.

## **ANNEX I**

### **• Initial Training**

A cabin crew member shall successfully complete initial training, in accordance with the following provisions.

#### **a. Fire and smoke training :**

1. Emphasis on the responsibility of cabin crew to deal promptly with emergencies involving fire and smoke and, in particular, emphasis on the importance of identifying the actual source of the fire.
2. The importance of informing the flight crew immediately, as well as the specific actions necessary for co-ordination and assistance, when fire or smoke is discovered.
3. The necessity for frequent checking of potential fire-risk areas including toilets, and the associated smoke detectors.
4. The classification of fires and the appropriate type of extinguishing agents and procedures for particular fire situations, the techniques of application of extinguishing agents, the consequences of misapplication, and of use in a confined space, and
5. The general procedures of ground-based emergency services at aerodromes.

b. Water survival training. The actual donning and use of personal flotation equipment in water. Before first operating on an aeroplane fitted with life-rafts or other similar equipment, training must be given on the use of this equipment, as well as actual practice in water.

c. Survival training. Survival training shall be appropriate to the areas of operation (e.g. polar, desert, jungle or sea).

#### **d. Medical aspects and first aid :**

1. Instruction on first aid and the use of first-aid kits;
2. First aid associated with survival training and appropriate hygiene; and
3. The physiological effects of flying and with particular emphasis on hypoxia.

#### **e. Passenger handling :**

1. Advice on the recognition and management of passengers who are, or become, intoxicated with alcohol or are under the influence of drugs or are aggressive ;
2. Methods used to motivate passengers and the crowd control necessary to expedite an aeroplane evacuation ;
3. Regulations covering the safe stowage of cabin baggage (including cabin service items) and the risk of it becoming a hazard to occupants of the cabin or otherwise obstructing or damaging emergency equipment or aeroplane exits ;

4. The importance of correct seat allocation with reference to aeroplane mass and balance. Particular emphasis shall also be given on the seating of disabled passengers, and the necessity of seating able-bodied passengers adjacent to unsupervised exits ;
  5. Duties to be undertaken in the event of encountering turbulence including securing the cabin ;
  6. Precautions to be taken when live animals are carried in the cabin ;
  7. Dangerous Goods training ;
  8. Security procedures.
- f. Communication. During training, emphasis shall be placed on the importance of effective communication between cabin crew and flight crew including technique, common language and terminology.
- g. Discipline and responsibilities :
1. The importance of cabin crew performing their duties in accordance with the Operations Manual ;
  2. Continuing competence and fitness to operate as a cabin crew member with special regard to flight and duty time limitations and rest requirements ;
  3. An awareness of the aviation regulations relating to cabin crew and the role of the Civil Aviation Authority ;
  4. General knowledge of relevant aviation terminology, theory of flight, passenger distribution, meteorology and areas of operation ;
  5. Pre-flight briefing of the cabin crew and the provision of necessary safety information with regards to their specific duties ;
  6. The importance of ensuring that relevant documents and manuals are kept up-to-date with amendments provided by the operator ;
  7. The importance of identifying when cabin crew members have the authority and responsibility to initiate an evacuation and other emergency procedures ; and
  8. The importance of safety duties and responsibilities and the need to respond promptly and effectively to emergency situations.
- h. Crew resource management.

## **ANNEX II**

### **• Conversion and Differences Training.**

#### **a. The training shall cover :**

##### **1. Conversion training :**

A conversion course to be completed before being :

- i. First assigned by the operator to operate as a cabin crew member ; or
- ii. Assigned to operate another aircraft type ; and

##### **2. Differences training.**

Differences training to be completed before operating :

- i. On a variant of an aeroplane type currently operated ; or
- ii. With different equipment, equipment location, or safety procedures on currently operated aeroplanes types or variants.

#### **b. The content of the conversion or differences training shall take account of the cabin crew member's previous training.**

#### **c. To ensure adequate safety levels :**

1. Conversion training must be conducted in a structured and realistic manner.

2. Differences training must be conducted in a structured manner.

3. Conversion training, and if necessary differences training, includes the use of all emergency and survival equipment and all emergency procedures applicable to the type or variant of aeroplane and involves training and practice on either a representative training device or on the actual aeroplane.

4. During conversion and differences training, training shall be given on the location, removal and use of all emergency and survival equipment carried on the aeroplane, as well as all emergency procedures, and emergency training related to the aeroplane type, variant and configuration to be operated.

#### **d. Fire and smoke training :**

Realistic and practical training in the use of all fire fighting equipment including protective clothing representative of that carried in the aeroplane. This training must include :

- i. Extinguishing a fire characteristic of an aeroplane interior fire except that, in the case of Halon extinguishers, an alternative extinguishing agent may be used ; and
- ii. The donning and use of protective breathing equipment in an enclosed, simulated smoke-filled environment ;

e. Operations of doors and exits :

1. Operating and actually opening all normal and emergency exits for passenger evacuation in an aeroplane or representative training device ; and
2. The operation of all other exits must be demonstrated.

f. Evacuation slide training :

1. Descent of an evacuation slide from a height representative of the aeroplane main deck sill height ;
2. The slide must be fitted to an aeroplane or a representative training device ; and
3. A further descent must be made when the cabin crew member qualifies on an aeroplane type in which the main deck exit sill height differs significantly from any aeroplane type previously operated.

g. Evacuation procedures and emergency situations.

1. Emergency evacuation training shall include the recognition of planned or unplanned evacuations on land or water. This training must include recognition of when exits are unusable or when evacuation equipment is unserviceable ;
2. Training to deal with the following :
  - i. An in-flight fire, with particular emphasis on identifying the actual source of the fire ;
  - ii. Severe air turbulence ;
  - iii. Sudden decompression, including the donning of portable oxygen equipment by each cabin crew member ; and
  - iiii. Other in-flight emergencies.

h. Crowd control. Training shall be provided on the practical aspects of crowd control in various emergency situations, as applicable to the aeroplane type.

i. Pilot incapacitation. Training to assist if a pilot becomes incapacitated. This training shall include a demonstration of :

1. The pilot's seat mechanism ;
2. Fastening and unfastening the pilot's seat harness ;
3. Use of the pilot's oxygen equipment ; and
4. Use of pilot's checklists.

j. Safety equipment. Realistic training on, and demonstration of, the location and use of safety equipment including the following :

1. Slides, and where non self-supporting slides are carried, the use of any associated ropes ;
2. Life-rafts and slide-raft, including the equipment attached to, and/or carried in, the raft ;
3. Lifejackets, infant lifejackets and flotation cots ;
4. Dropout oxygen system ;
5. First-aid oxygen ;

6. Fire extinguishers ;
7. Fire axe or crow-bar ;
8. Emergency lights including torches ;
9. Communication equipment, including megaphones ;
10. Survival packs, including their contents ;
11. Pyrothetic (Actual or representative devices) ;
12. First-aid kits, their contents and emergency medical equipment ; and
13. Other cabin safety equipment or systems where applicable.

k Passenger briefing/Safety demonstrations. Training must be given in the preparation of passengers for normal and emergency situations.

### **ANNEX III**

- **Recurrent training**

- a. Every year the programme of practical training must include the following :
  1. Emergency procedures including pilot incapacitation ;
  2. Evacuation procedures including crowd control techniques ;
  3. Touch-drills by each cabin crew member for opening normal and emergency exits for passenger evacuation ;
  4. The location and handling of emergency equipment, including oxygen systems, and the donning by each cabin crew member of lifejackets, portable oxygen and protective breathing equipment (PBE) ;
  5. First aid and the contents of the first-aid kits ;
  6. Stowage of articles in the cabin ;
  7. Dangerous goods procedures ;
  8. Security procedures ;
  9. Incident and accident review; and
  10. Crew Resource Management.
- b. Every 3 years, recurrent training shall also include :
  1. The operation and actual opening of all normal and emergency exits for passenger evacuation in an aircraft or representative training device ;
  2. Demonstration of the operation of all other exits ;
  3. Realistic and practical training in the use of all fire-fighting equipment, including protective clothing, representative of that carried in the aircraft. This training must include :
    - i. Extinguishing a fire characteristic of an aeroplane interior fire except that, in the case of Halon extinguishers, an alternative extinguishing agent may be used ; and
    - ii. The donning and use of protective breathing equipment by each cabin crew member in an enclosed, simulated smoke-filled environment.
  4. Use of pyrotecnics (Actual or representative devices) ; and
  5. Demonstration of the use of the life-raft, or slide-raft, where fitted.



## ASSESSMENT FORM FOR THE IMPACT ON COMPETITIVITY AND EMPLOYMENT

Proposal for a Council Directive on the minimum level of safety training and attestation of professional competence of cabin attendants in civil aviation.

1. What is the main justification for this measure ?
  - maintenance of high safety standards in the single civil aviation market
  - mobility of this category of personnel
  
2. Characteristics of the enterprises concerned :  
In particular :
  - are a great number of SME's concerned ? NO
  - are there concentrations in certain regions ? NO
  - eligibility for regional aids in Member States ? NO
  - Eligible for ERDF ? NO
  
3. What constraints are imposed on the enterprises ? Additional Administrative duties
  
4. What constraints are likely to be imposed indirectly on the enterprises by way of local authorities ? NONE
  
5. Are there special measures for SMEs ? NO  
 Which ?
  
6. What is the foreseeable impact on :
  - the competitiveness of the enterprises ?  
Additional administrative burdens
  - employment ?  
Minimum impact.
  
7. Have the social partners been consulted ? YES
  - Opinion of the social partners ?  
Employees in favour  
Employers against.

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