

**UNITED STATES
SECURITIES AND EXCHANGE COMMISSION**

Washington, D.C. 20549

FORM SD

Specialized Disclosure Report

ASML Holding N.V.

(Exact name of registrant as specified in its charter)

The Netherlands
(State or other jurisdiction
of incorporation)

025566
(Commission
File Number)

Not Applicable
(IRS Employer
Identification No.)

De Run 6501
5504 DR Veldhoven
The Netherlands
(Address of principal executive offices) (Zip Code)

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(Name and telephone number, including area code, of the person to contact in connection with this report.)

Check the appropriate box to indicate the rule pursuant to which this form is being filed, and provide the period to which the information in this form applies:

- Rule 13p-1 under the Securities Exchange Act (17 CFR 240.13p-1) for the reporting period January 1 to December 31, 2020.

Section 1 - Conflict Minerals Disclosure

Item 1.01 Conflict Minerals Disclosure and Report

ASML Holding N.V. has issued a Conflict Minerals Report for the period from January 1, 2020 to December 31, 2020. A copy of the Conflict Minerals Report is filed herewith as Exhibit 1.01 and is publicly available www.asml.com as well as the SEC's EDGAR database at www.sec.gov. The website and the information accessible through it are not incorporated into this Form SD.

Section 2 – Exhibits

<u>Exhibit No.</u>	<u>Description of Exhibit</u>
1.01	Conflict Minerals Report as required by Item 1.01 and 1.02 of this Form SD.

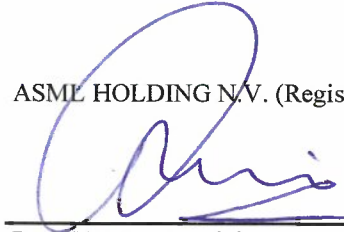
SIGNATURES

Pursuant to the requirements of the Securities Exchange Act of 1934, the registrant has duly caused this report to be signed on its behalf by the duly authorized undersigned.

ASML HOLDING N.V. (Registrant)

Date: May 27, 2021

By:



Peter T.F.M. Wennink
Chief Executive Officer

Exhibit 1.01

ASML HOLDING N.V. CONFLICT MINERALS REPORT For The Year Ended December 31, 2020

This Conflict Minerals Report for ASML Holding N.V. (“ASML”, “we”, “us” or “our”) covers the reporting period from January 1, 2020 to December 31, 2020, and is filed in compliance with Rule 13p-1 of the Securities Exchange Act of 1934, as amended (the “Rule”). The Rule was adopted by the Securities Exchange Commission (SEC) to implement reporting requirements related to “conflict minerals”. Conflict Minerals are defined as columbite-tantalite (coltan), cassiterite, wolframite, gold and their derivatives, which are currently limited to tin, tantalum and tungsten. The scope of this Conflict Minerals Report (“CMR”), filed as Exhibit 1.01 to our Specialized Disclosure Report on Form SD, is focused on the minerals tin, tantalum, tungsten and gold (“3TG minerals”).

The Rule provides that if 3TG minerals are necessary to the functionality or production of a product manufactured by an SEC registrant, such registrant is required to conduct in good faith a reasonable country of origin inquiry (“RCOI”) designed to determine whether any of the conflict minerals that are necessary to the functionality or production of products originated in the Democratic Republic of the Congo (DRC) or an adjoining country (collectively, the “Covered Countries”) and is required to disclose the RCOI and the results thereof.

ASML needs certain 3TG minerals to make its products, and for them to function.

Statements in this CMR are based on our RCOI and our due diligence activities performed in good faith for the reporting period from January 1, 2020 to December 31, 2020 and are based on information available at the time of this filing, unless otherwise indicated. Factors that could affect the accuracy of these statements include, but are not limited to, incomplete supplier data or available smelter and/or refiner (collectively referred to as “smelter(s)”) data, errors or omissions by suppliers or smelters, ongoing certifications of smelters, continued guidance or amendments to the Rule, and other factors. Additionally, this CMR contain forward-looking statements that reflect what we strive to achieve in the future as we continue to improve our responsible sourcing program. These forward-looking statements are based on current expectations and assumptions that are subject to risks and uncertainties.

Business Overview

ASML designs, develops, integrates, markets and services advanced lithography systems used by its customers—the major global integrated circuit manufacturers—to create chips that power a wide array of electronic, communication and information technology products. ASML invests in a technology-based innovation roadmap that enables the continued shrink of microchips by enhancing resolution with EUV and High-NA, together with the holistic scaling of overlay and pattern fidelity control. To achieve this, we also invest in continuing innovations in DUV, Metrology and Inspection technology, to supplement the power of EUV-led shrink. Our holistic lithography product development strategy focuses on the development of product families based on a modular, upgradeable design and our product portfolio encompasses PAS 5500, TWINSCAN, TWINSCAN NXE lithography systems and the enhancement systems within our Applications business line.

Our Product Portfolio

- PAS 5500 lithography systems comprise advanced wafer steppers and Step-and-Scan systems equipped with i-line, KrF and ArF light sources for processing wafers up to 200 mm in diameter and are employed in volume manufacturing and in special applications to achieve semiconductor design nodes requiring imaging at a resolution down to 90 nm. These systems are no longer produced, but our Mature Products and Services (MPS) business refurbishes these used lithography equipment and offers associated services.
- TWINSCAN systems are equipped with i-line, KrF and ArF light sources for processing wafers up to 300 mm in diameter and are capable of extending semiconductor shrink technology down to 38 nm and beyond with multiple

patterning techniques. The dual-stage advantage of TWINSCAN immersion systems enables our customers to benefit from the process enhancement of immersion while continuing to use familiar and proven technology.

- Our TWINSCAN NXE platform is the industry's first production platform for extreme ultraviolet lithography (EUVL), currently offering 13 nm resolution with off-axis illumination and 2.0 nm match machine overlay performance.
- Our Applications business line focuses on product options and enhancements, including the YieldStar metrology system and E-beam metrology and inspection systems, designed to increase semiconductor manufacturing productivity and improve imaging and overlay to optimize value of ownership over the entire lifecycle of our systems.

Like many companies in the electronics industry, our products contain minerals and metals necessary to the functionality or production of our products. Such minerals and metals include tantalum, tungsten, tin and gold, which are 3TG minerals, or so-called "conflict minerals". Although we do not use a significant amount of these 3TG minerals in the manufacturing of our products, we need certain 3TG minerals to make our products, and for them to function. We believe that these 3TG minerals are insignificant in terms of volume relative to other parts and components of the systems we produce. Gold, for example, is used in coating critical electronic connectors, and tin is used for welding electronic components and creating EUV light. The total amount of gold used is approximately 250 grams per TWINSCAN system and 750 grams per TWINSCAN NXE system. The total amount of tin used is approximately 1,500 grams per TWINSCAN system and approximately 4,500 grams per TWINSCAN NXE system. In 2020, we sold 258 lithography systems, 31 of which are TWINSCAN NXE systems.

Supply Chain Description

We outsource the production of most components that are necessary for the manufacturing of our systems. As we rely on our suppliers to develop, manufacture and deliver the unique parts and modules used in our lithography systems, the sourcing of these minerals goes beyond our Tier 1 suppliers. There are several tiers of suppliers between ASML and any smelter or refiner of conflict minerals, and even more tiers when tracing a mineral or metal all the way back to the mines of origin. We do not have a direct purchasing relationship with mines, smelters or refiners.

Due Diligence Program

At ASML, we are committed to a conflict-free minerals policy for the responsible sourcing of materials in our supply chain. We support international efforts to ensure the mining and trading of 3TG minerals from high-risk locations does not contribute to conditions of armed conflict and/or serious human-rights abuses in the Democratic Republic of the Congo (DRC) or its adjoining countries as defined by the SEC in Form SD. We have adopted a series of compliance measures based on the guidelines of the five-step framework set forth by the OECD Due Diligence Guidance from Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas ("**OECD Guidance**").

Summarized below are our due diligence activities for each step of the OECD Guidance, which have been performed in a manner consistent with the OECD Guidance.

1: Establish strong company management system

- Responsible minerals sourcing policy: We have established a conflict minerals policy, and are committed to responsible minerals sourcing in our supply chain and exercise due diligence in accordance with industry's leading practices. This policy is supported by our Code of Conduct, Human Rights Policy and Anti-bribery and Anti-corruption policy, all of which are available on our company website at www.asml.com. The website and the information accessible through it are not incorporated into this Form SD.
- Governance: To ensure compliance with the Conflict Minerals regulations, we formed a Conflict Minerals Team (the "**CM Team**"), comprising sourcing, development and engineering, legal and sustainability experts. This inter-departmental CM Team agree on an approach to meet ASML's reporting requirements with respect to Conflict Minerals and to ensure that a RCOI and due diligence is carried out in accordance with applicable Conflict Minerals

regulations. Our Sustainability Strategy department is responsible for the oversight of the program. Results of our due diligence activities are reviewed and discussed with our Chief Executive Officer (CEO) and senior management.

- **Control system:** We utilize a system of controls through the use of due diligence tools that are developed by the Responsible Minerals Initiative (“RMI”) such as the Conflict Minerals Reporting Template (“CMRT”) and the conflict-free smelters and refiners list which is validated through the Responsible Minerals Assurance Process (“RMAP”), which uses a third-party audit firm intended to identify smelters and refiners that have systems in place to assure sourcing of only conflict-free minerals.
- **Supplier engagement:** The requirement for suppliers to comply with our policy is included in our supplier Code of Conduct and supplier handbook. Accordingly, we expect that our suppliers have established similar due diligence programs for their own supply chain. To reinforce awareness of ASML’s requirements and practices and the importance we place on supply chain due diligence for Conflict Minerals, we have communicated with in-scope suppliers (as described below) in a variety of ways, including by distribution of supplier newsletters and supplier handbooks and encouraged compliance with RBA Code of Conduct. Also, in an effort to strengthen supplier understanding and compliance with the regulations, we also developed and distributed to our suppliers a set of Conflict Minerals Frequently Asked Questions (FAQs).
- **Grievance mechanism:** We encourage everyone, including suppliers and other stakeholders to express, in good faith, any concerns they might have regarding possible violations of our Code, our company’s policies, or the law. We have a Speak Up system available to report breaches anonymously. This can be found on our company website.

2: Identify and assess risks in the supply chain

- We utilize a risk-based approach towards supply chain conflict minerals due diligence. Our risk-based approach focuses on informing relevant suppliers as described in the bullet point below of our expectations with respect to Conflict Minerals and conducting supply chain due diligence.
- We examined our products and direct spending volumes to select those suppliers which provide us with the product parts most likely to contain 3TG.
- Annually, we ask in-scope suppliers to complete a CMRT in order to collect information about the smelters of 3TG used in our products. This is intended to allow us to validate compliance with our conflict-free minerals sourcing policy.
- We assessed the CMRTs received from our in-scope suppliers for red flags, completeness, and reasonableness based on OECD Guidance for Conflict and High Risk Areas (CAHRAs) globally, including the Covered Countries.
- We validated whether each smelter disclosed by our in-scope suppliers was a conformant, active or standard smelter by checking against the smelter data provided by the RMI to its members.
- We communicated with in-scope suppliers the reported smelters who were not yet identified as RMAP conformant. We worked with those in-scope suppliers to improve their responses to mitigate risk and commitment to conflict-free minerals at both company and product levels.
- We have a supply chain sustainability risk process, which includes a robust risk-based assessment and audit process for suppliers covering human rights issues. In our due diligence process, we use the Responsible Business Alliance (“RBA”) Risk Assessment Platform to identify inherent risks in labor (including human rights), ethics, health & safety and environmental standards across our full supply base. In the event of a medium or high risk relating to labor being identified, we engage with the supplier and conduct a more detailed analysis.

3: Design and implement a strategy to respond to identified risks

- Findings from our due diligence process are reported to senior management. Overall results in our CMR are discussed with our CEO.
- We have been a member of the RBA, a multi-industry initiative addressing issues related to the responsible sourcing of minerals in supply chains since 2011. As such, we support initiatives which foster better working conditions and raw material production. We support the RMI including the RMAP and Global e-Sustainability

Initiative (GeSI). This process and initiative aim for certification of smelters and promotion of responsible sourcing from the Covered Countries.

- In addition to working closely with our own suppliers and other original equipment manufacturers (“OEMs”), we also participate in global initiatives led by the RBA to address the industry-wide concerns surrounding Conflict Minerals. These organizations support information sharing among suppliers and OEMs, including the identification and conflict-free status of 3TG smelters and refiners. ASML fully supports such efforts.

4: Carry out independent third-party audits of supply chain due diligence at identified points in the supply chain

- As a member of the RBA, we rely upon the RMI to confirm that our suppliers meet the criteria stated for the smelters the supplier uses and then verify that those smelters conform to the RMAP.
- We utilize the resources provided by the RMI, such as the standardized reporting template, the CMRT, developed by the RMI, which facilitates the transfer of information through the supply chain regarding the country of origin and the smelters and refiners being utilized by suppliers. The template also facilitates the identification of new smelters and refiners that should potentially undergo an audit via RMAP.

5: Report annually on supply chain due diligence

- We file and publish a CMR annually, and it is publicly available on our company website
- We report annually on our responsible supply chain activities in our Annual Report.

Reasonable Country of Origin Inquiry

ASML conducted the RCOI designed to determine whether any of the minerals that are necessary to the functionality and production of our products may have originated in the Covered Countries.

Our RCOI primarily consisted of conducting a supply chain survey using the reporting template provided by the RBA, the CMRT. The results of the RCOI indicated that some of the 3TG minerals included in our systems may originate from the Covered Countries subject to further investigation and due diligence

Description of Due Diligence Measures Performed

Due diligence has been performed in a manner consistent with the framework of the OECD and the OECD Guidance as described above in the section "Due Diligence Program". Out of 168 in-scope suppliers, only 16 suppliers did not provide a CMRT. We are continuing our efforts, such as multiple follow-ups and reminders by email and telephone calls, to reach them in order to obtain the CMRTs to improve our due diligence results.

Due Diligence Results

The table below provides an overview of our due diligence results.

	2019	2020
Suppliers in-scope	157	168
Confirmed conflict free	116	138
Confirmed no 3TG in product	22	14
Unknown – supplier was not able to provide CMRT	19	16

Despite our continuous efforts, we are unable to determine the precise origin of the 3TG minerals included in all of our products. This is due to several reasons: 3TG supply-chain complexity, the number of tiers of suppliers to trace the source, and the limited number of certified conflict-free smelters for all conflict minerals. To obtain complete and accurate data from our supply chain is a challenge, but we continue our efforts in this regard. However, we have, as a result of our due diligence efforts, identified 90% of the suppliers in scope, whose products supplied to us contain 3TG, that are certified as "DRC conflict free" under the RBA and the RMAP certified smelter listings. This is an improvement compared to 86% in 2019.

We will continue to encourage our suppliers to trace the origins of the 3TG minerals within their supply chain in accordance with applicable conflicts minerals rules and regulations. Furthermore, we request our suppliers to report smelters who are not listed or identified on the RBA smelters list to the RBA for audit.

.Forward Looking Statements

This document contains statements that are forward-looking, including statements relating to our business and compliance efforts, including with respect to Conflict Minerals. You can generally identify these statements by the use of words like "may", "will", "could", "should", "project", "believe", "anticipate", "expect", "plan", "estimate", "forecast", "potential", "intend", "continue" and variations of these words or comparable words. Such forward-looking statements include statements relating to ASML's business, conflicts minerals policies, RCOI and due diligence procedures and plans to improve the due diligence process, plans to encourage suppliers to trace origins of 3TG minerals within their supply chain and other plans and intentions with regard to conflicts minerals and other non-historical statements.

Forward-looking statements do not guarantee future performance and involve risks and uncertainties. These risks and uncertainties include, potential changes in our reporting obligations or practices under the Conflict Minerals rules, our ability to implement certain processes and policies, our ability to obtain information from our suppliers, our ability to effectively trace the origins of 3TG minerals, our ability to improve our due diligence process for conflict minerals and other risks indicated in the risk factors included in ASML's Annual Report on Form 20-F and its other filings with the US Securities and Exchange Commission. These forward-looking statements are made only as of the date of this document. ASML does not undertake to update or revise the forward-looking statements, whether as a result of new information, future events or otherwise.