

Conflict Minerals Statement



ASML Conflict Minerals Statement

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The Democratic Republic of the Congo (DRC) and adjoining countries in central Africa possess rich mineral resources. Rebel groups have garnered significant annual profits by securing control of local mines and trading routes through use of violence. In an effort to curb the violence and exploitation occurring in the Democratic Republic of the Congo (“DRC”) and adjoining regions, the Securities and Exchange Commission (“SEC”) adopted rules pursuant to Section 1502 of the Dodd-Frank Act. Section 1502 of the legislation addresses Conflict Minerals and requires companies to publicly disclose information related to the use in their products of minerals originating in the DRC and the countries adjoining the DRC (“Covered Countries”), including the Central African Republic, South Sudan, Zambia, Angola, Republic of the Congo, Tanzania, Burundi, Rwanda and Uganda. The minerals subject to the SEC’s disclosure requirements, referred to as “Conflict Minerals” are columbite-tantalite (coltan), cassiterite, wolframite, gold and their derivatives, namely tin, tantalum and tungsten (“3TG”).

As a company that is required to file reports with the SEC as a foreign private issuer and in connection with the listing of its shares on NASDAQ, ASML is committed to address concerns relating to Conflict Minerals, in accordance with applicable SEC rules.

Certain 3TG minerals are necessary to the functionality and production of our products. For example, gold is used in coating critical electronic connectors to enhance connectivity performance. Each system also contains tin, used for welding electronic components on printed circuit boards and also within a critical component of our systems with the latest technology. Although certain 3TG minerals are necessary to the functionality and production of our products, we believe that these 3TG minerals are insignificant in terms of volume relative to other parts and components of the systems we produce. We outsource the production of the majority of components that are needed to produce our systems, and we are only able to determine whether the 3TG minerals included in our systems are derived from a Covered Country through information provided to us by our suppliers.

ASML conducted a reasonable country of origin inquiry (“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 Responsible Business Alliance (“RBA”, formerly EICC) and the Global e-Sustainability Initiative (“GeSI” together, the “RBA/GeSI CMRT”).

We also utilized resources provided by the Responsible Minerals Initiative (“RMI”, formerly Conflict-Free Sourcing Initiative), including the Responsible Minerals Assurance Process (“RMAP”). The RMAP uses a third-party audit firm to identify smelters and refiners that have systems in place to assure sourcing of only conflict-free materials, in order to provide additional country of origin information.

Due to the incomplete nature of the data available from our supply chain, which is a result of the 3TG supply chain complexity and the limited number of certified conflict free smelters for all Conflict Minerals, we are unable to determine the precise origin of the 3TG minerals which are included in our products.

ASML is collaborating with both the Responsible Business Alliance (RBA) and the Global e-Sustainability Initiative (GeSI) and with other concerned semiconductor and electronics companies to address conflict-free mineral sourcing at an industry level. We have adopted the standards and templates of the RBA and GeSI to implement our reporting. As a member of the RBA, we support initiatives which foster better working conditions and raw material production and the RBA's efforts to implement a credible system to validate socially and environmentally responsible sources of minerals.

On 3 April 2017, the European Council adopted similar laws surrounding the trade in the 3TG minerals originating from the same 'high risk' region. The EU laws, however, are aimed at regulating the import of the 3TG minerals into the EU. We will determine the impact of the new EU regulations on ASML and its supply chain and will aim to meet any new disclosure requirements when the regulations take effect (expected to take effect on 1 January 2021).

ASML's Conflict Minerals Report Disclosure is publicly available on our website at www.asml.com.

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, due diligence procedures and plans to improve the due diligence process in 2020, plans to encourage suppliers to trace origins of 3TG minerals within their supply chain in accordance with U.S. securities laws 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.