

Company Name ASML
Industry ICT (Own operations and Supply Chain)
Overall Score 17.2 out of 100

| Theme Score | Out of | For Theme |
|-------------|--------|---|
| 1.4 | 10 | A. Governance and Policies |
| 5.6 | 25 | B. Embedding Respect and Human Rights Due Diligence |
| 3.0 | 20 | C. Remedies and Grievance Mechanisms |
| 3.8 | 25 | D. Performance: Company Human Rights Practices |
| 3.4 | 20 | E. Performance: Responses to Serious Allegations |

Please note that any small differences between the Overall Score and the added total of Measurement Theme scores are due to rounding the numbers at different stages of the score calculation process.

Please note also that the "Not met" labels in the Explanation boxes below do not necessarily mean that the company does not meet the requirements as they are described in the bullet point short text. Rather, it means that the analysts could not find information *in public sources* that met the requirements *as described in full* in the CHRB 2022 Methodology document for the sector concerned. For example, a "Not met" under "General HRs Commitment", which is the first bullet point for indicator A.1.1, does not necessarily mean that the company does not have a general commitment to human rights. Rather, it means that the CHRB could not identify a public statement of policy in which the company commits to respecting human rights.

Detailed assessment

A. Governance and Policies (10% of Total)

A.1 Policy Commitments (5% of Total)

| Indicator Code | Indicator name | Score (out of 2) | Explanation |
|----------------|---|------------------|--|
| A.1.1 | Commitment to respect human rights | 1 | <p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Met: General HRs commitment: The Company states in its Human Rights Policy: 'The purpose of this policy is to express ASML's commitment to respecting Human Rights and honoring the values of Ethics as expressed in our Code of Conduct.' [Human Rights Policy, 07/2017: asml.com] <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Commitment to the UNGPs: In its Code of Conduct, it indicates: 'We respect human rights in line with international laws, regulations and standards [...] UN Guiding Principles on Business and Human Rights'. However, the current statement seems to refer to respecting human rights as reflected in the document rather than commitment to respect the document itself. [Code of Conduct, 01/11/2020: asml.com] • Not Met: Commitment to the OECD Guidelines for Multinational Enterprises: In its Code of Conduct, it indicates: 'We respect human rights in line with international laws, regulations and standards [...] Organisation for Economic Co-operation and Development's ('OECD') Guidelines for Multinational Enterprises'. However, the current statement seems to refer to respecting human rights as reflected in the document rather than commitment to respect the document itself. [Code of Conduct, 01/11/2020: asml.com] |
| A.1.2.a | Commitment to respect the human rights of workers: ILO Declaration on | 0 | <p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Not Met: Company has a commitment to the ILO Core: In its Code of Conduct, it indicates: 'We respect human rights in line with international laws, regulations and standards [...] International Labour Organization ('ILO') Declaration on Fundamental Principles and Rights at Work, ILO Discrimination (Employment and |

| Indicator Code | Indicator name | Score (out of 2) | Explanation |
|----------------|--|------------------|--|
| | Fundamental Principles and Rights at Work | | <p>Occupation) Convention, ILO Forced Labor Convention, ILO Abolition of Forced Labor Convention, ILO Occupational Safety and Health Convention'. However, commitment 'in line with' is not considered a formal statement of commitment according to CHRB wording criteria. [Code of Conduct, 01/11/2020: asml.com]</p> <ul style="list-style-type: none"> • Not Met: Company has a explicit commitment to All four ILO Core: The Human Rights Policy includes provisions to different ILO core: discrimination, child labour and forced labour. With respect to freedom of association and collective bargaining it states the following: 'is committed, in accordance with local laws, to respect the rights of all employees to form and join trade unions of their own choosing, to bargain collectively and to engage in peaceful assembly as well as respect the rights of workers to refrain from such activities'. However, it is not clear whether it is committed to respect these rights in all contexts and locations (i.e. alternative mechanisms for those countries where there are legal restrictions to the exercise of these rights), as the Company indicates that it respects these rights 'in accordance with local laws'. [Human Rights Policy, 07/2017: asml.com] <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Company expect suppliers to commit to ILO Core: The Company's sustainability policy states that 'we work with our partners in the supply chain to ensure that they meet or exceed requirements for sustainability set out in the RBA (Responsible Business Alliance) Code of Conduct'. The RBA Code of Conducts reads: 'the provisions in this Code are derived from and respect internationally recognized standards including the ILO Declaration on Fundamental Principles and Rights at Work'. However, to 'derived from' is not considered a formal commitment statement according to CHRB wording criteria. [RBA Code of Conduct (version 7.0), 2021: responsiblebusiness.org] & [Sustainability Policy, 04/2019: asml.com] • Not Met: Company explicitly list All four ILO for suppliers: The Company's sustainability policy states that 'we work with our partners in the supply chain to ensure that they meet or exceed requirements for sustainability set out in the RBA (Responsible Business Alliance) Code of Conduct'. The RBA Code of Conduct includes provisions on ILO Core areas: 'Forced, bonded (including debt bondage) or indentured labor, involuntary or exploitative prison labor, slavery or trafficking of persons shall not be used. [...] Child labor is not to be used in any stage of manufacturing. [...] Participants should be committed to a workforce free of harassment and unlawful discrimination. [...] In conformance with local law, participants shall respect the right of all workers to form and join trade unions of their own choosing, to bargain collectively, and to engage in peaceful assembly as well as respect the right of workers to refrain from such activities'. However, it is not clear whether the Company requires to respect those rights in all contexts, as it indicates 'in conformance with local law'. In these cases (companies referring to local laws in freedom of association and collective bargaining), companies are expected to require alternative mechanisms or equivalent workers bodies where the right to freedom of association and collective bargaining is restricted under law. [RBA Code of Conduct (version 7.0), 2021: responsiblebusiness.org] & [Sustainability Policy, 04/2019: asml.com] |
| A.1.2.b | Commitment to respect the human rights of workers: Health and safety and working hours | 0.5 | <p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Met: Commitment to respect H&S of workers: The Company indicates in its Human Rights Policy that 'feels responsible to provide safe and healthy working conditions for its employees, while minimizing impact on the environment'. The Code states that 'ASML is committed to maintaining and safe and healthy working environment [...] ASML puts safety first and is committed to creating a safe place to work. To prevent, manage track and report physical injuries and work-related illnesses, we have established procedures and systems such as various channels through which we encourage employees to report, classify and record these cases. We investigate and implement corrective and mitigating measures to eliminate their cause and facilitate employees to return to work'. [Human Rights Policy, 07/2017: asml.com] & [Code of Conduct, 01/11/2020: asml.com] • Not Met: Respect ILO labour standards on working hours or Commits to 48 hours regular work week: The HR Policy states that 'Workweeks are not to exceed the maximum set by local law. A workweek should not be more than 60 hours per week, including overtime, except in emergency or unusual situations. Employees have the right to have at least one day off per seven-day period'. In addition, in its Integrated Report 2019, it indicates: 'The standard weekly working hours in the locations where we operate are on average 40 hours. Our company standards are based on the International Labor Standards of the International Labor Organization (the Forty-Hour Week Convention) and the RBA norms.' However, as the last evidence is no longer considered a suitable source for policy statements according CHRB's revised approach, no reference to respect a regular 48 hours workweek was |

| Indicator Code | Indicator name | Score (out of 2) | Explanation |
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| | | | <p>found in a policy statement nor a provision committing to pay all overtime at a premium rate, or an explicit commitment to ILO convention. [Human Rights Policy, 07/2017: asml.com] & [2019 Integrated Report, 11/02/2020: asml.com]</p> <p>Score 2</p> <ul style="list-style-type: none"> Met: Expect suppliers to commit to H&S of their workers: The Company's sustainability policy states that 'we work with our partners in the supply chain to ensure that they meet or exceed requirements for sustainability set out in the RBA (Responsible Business Alliance) Code of Conduct'. The RBA Code of Conduct sets out health and safety standards for suppliers. This Code used OHSAS 18001 and ILO Guidelines on Occupational Safety and Health as reference to set the standards. [RBA Code of Conduct (version 7.0), 2021: responsiblebusiness.org] & [Sustainability Policy, 04/2019: asml.com] Not Met: Expect suppliers to commit to ILO labour standard or to 48 hours regular work week: The Company's sustainability policy states that 'we work with our partners in the supply chain to ensure that they meet or exceed requirements for sustainability set out in the RBA (Responsible Business Alliance) Code of Conduct'. The RBA Code of Conduct indicates: 'Working hours are not to exceed the maximum set by local law. Further, a workweek should not be more than 60 hours per week, including overtime, except in emergency or unusual situations. All overtime must be voluntary. Workers shall be allowed at least one day off every seven days.' However, no evidence found of references to standard 48 hours workweek or the Company explicitly committing to respect ILO conventions on working hours. [RBA Code of Conduct (version 7.0), 2021: responsiblebusiness.org] & [Sustainability Policy, 04/2019: asml.com] |
| A.1.3.a.ICT | Commitment to respect human rights particularly relevant to the industry – responsible sourcing of minerals (ICT) | 1 | <p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> Met: Responsible mineral sourcing: The Company states in its Conflict Minerals Report 2020: '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").' The Company also mentions a Conflict Minerals Policy in its Code of Conduct, although this policy was not found in the public domain. This SD report is considered a proxy for policy statements under CHRB revised approach. [Conflict Minerals Report 2020, 2021: asml.com] Met: Based on OECD Guidance: As indicated above, the Company states in its Conflict Minerals Report 2020: '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").' This report is considered a proxy for policy statements under CHRB revised approach. [Conflict Minerals Report 2020, 2021: asml.com] Met: Requires suppliers to commit to responsible mineral sourcing: The Company's sustainability policy states that 'we work with our partners in the supply chain to ensure that they meet or exceed requirements for sustainability set out in the RBA (Responsible Business Alliance) Code of Conduct'. According to RBA Code of Conduct: 'Participants shall adopt a policy and exercise due diligence on the source and chain of custody of the tantalum, tin, tungsten, and gold in the products they manufacture to reasonably assure that they are sourced in a way consistent with the Organisation for Economic Co-operation and Development (OECD) Guidance for Responsible Supply Chains of Minerals from Conflict Affected and High-Risk Areas or an equivalent and recognized due diligence framework'. [RBA Code of Conduct (version 7.0), 2021: responsiblebusiness.org] & [Sustainability Policy, 04/2019: asml.com] <p>Score 2</p> <ul style="list-style-type: none"> Not Met: Commits to follow OECD Guidance for all minerals Not Met: Suppliers expected to make similar requirements of their suppliers |
| A.1.3.b.ICT | Commitment to respect human rights particularly relevant to the industry – | 1 | <p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> Met: Women's rights: The Company indicates in its Code of Conduct: 'Human rights should be respected at all times. This includes, but is not limited to, freely chosen employment, children's rights, women's rights, minority rights and migrant workers' rights'. [Code of Conduct, 01/11/2020: asml.com] |

| Indicator Code | Indicator name | Score (out of 2) | Explanation |
|----------------|--|------------------|--|
| | vulnerable groups (ICT) | | <ul style="list-style-type: none"> • Met: Children's rights: The Company indicates in its Code of Conduct: 'Human rights should be respected at all times. This includes, but is not limited to, freely chosen employment, children's rights, women's rights, minority rights and migrant workers' rights'. [Code of Conduct, 01/11/2020: asml.com] • Met: Migrant worker's rights: The Company indicates in its Code of Conduct: 'Human rights should be respected at all times. This includes, but is not limited to, freely chosen employment, children's rights, women's rights, minority rights and migrant workers' rights'. [Code of Conduct, 01/11/2020: asml.com] • Met: Expects suppliers to respect at least one of these rights: The company indicates that it requires all its suppliers to meet or exceed the RBA Code of Conduct, the RBA code contains the following commitment to migrant workers rights: 'Participants are committed to uphold the human rights of workers, and to treat them with dignity and respect as understood by the international community. This applies to all workers including...migrant...and any other type of worker'. [RBA Code of Conduct (version 7.0), 2021: responsiblebusiness.org] <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: CEDAW/Women's Empowerment Principles • Not Met: Child Rights Convention/Business Principles • Not Met: Convention on migrant workers • Not Met: Expecting suppliers to respect these rights |
| A.1.4 | Commitment to remedy | 0 | <p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Not Met: The Company commits to remedy: In its Human Rights Policy, the Company states: 'Because ASML committed itself to uphold these Human Rights standards and guidelines we make sure that within our value chain the Human Rights are: [...] Remediated: We secure that any (potential) human rights violations within ASML's value chain can be reported to ASML through a grievance mechanism (i.e. our Speak Up policy) and that such incidents are addressed with the appropriate level of priority.' However, the commitment to remedy is not clear, as it only seems to commit to "address" incidents reported through its grievance channel. [Human Rights Policy, 07/2017: asml.com] • Not Met: Company expect suppliers to make this commitment <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Collaborating with other remedy initiatives • Not Met: Work with suppliers to remedy impact |
| A.1.5 | Commitment to respect the rights of human rights defenders | 0 | <p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Not Met: Zero tolerance attacks on HRs Defenders (HRDs) • Not Met: Company expect suppliers to make this commitment <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Work with HRD to create safe and enabling environment |

A.2 Policy Commitments (5% of Total)

| Indicator Code | Indicator name | Score (out of 2) | Explanation |
|----------------|---------------------------------------|------------------|--|
| A.2.1 | Commitment from the top | 0 | <p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Not Met: Board level responsibility for HRs: In its Annual Report 2020, the Company indicates: 'Our Ethics Board, chaired by our CEO and reporting to the Board of Management, is responsible for policymaking and the supervision of ASML's compliance with legal and ethical requirements. The Ethics Board meets regularly to give guidance on relevant issues. 2. Our Ethics Committee investigates significant notifications about potential breaches of ASML's Code of Conduct worldwide.' However, it is not clear whether the Ethics Board or the Ethics Committee are Supervisory board level. [Annual Report 2021, 2022: asml.com] • Not Met: Describe HR expertise of Board member <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Speeches/letters by Board members or CEO |
| A.2.2 | Board responsibility | 0 | <p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Not Met: Board/Committee review HRs strategy • Not Met: Examples/trends re HR discussion in the last reporting period <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Meets both requirements under score 1 • Not Met: How affected stakeholders/HR experts informed discussions |
| A.2.3 | Incentives and performance management | 0 | <p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Not Met: Incentives for at least one board member: The Company indicates in its Integrated Report: 'All members of the BoM [Board of Management] are eligible to |

| Indicator Code | Indicator name | Score (out of 2) | Explanation |
|----------------|-----------------------------------|------------------|--|
| | | | <p>receive performance-related shares. [...] [There are] Three types of performance measures relate to the LTI: [...] Long-term strategic qualitative targets to ensure ASML's ability to keep performing at high standards.' The Long-Term strategic qualitative targets are related to: Technology Leadership Index and Sustainability. In addition, in its Annual Report 2020, it indicates: 'For the LTI, the following performance metrics apply, in accordance with the Remuneration Policy: [...] Sustainability, a qualitative measure for determining our performance in the area of sustainability by benchmarking our result from the annual comprehensive Dow Jones Sustainability Index (DJSI) against the best of the semiconductor industry. This DJSI Assessment is a comprehensive assessment measuring our performance on more than 20 ESG aspects. It allows us to benchmark our company performance in the wider field of ESG with our industry peers and drive continuous improvement. Underlying is our Sustainability Strategy 2019-2025 containing a set of 16 KPIs and targets, which we define by means of a comprehensive materiality assessment and input from continuous stakeholder engagement. For more information see Non-financial statements - Materiality: assessing our impact.' However, no further information found describing which factors are included in the Sustainability target in order to evaluate whether human rights aspects are taken into account, and whether they apply to supervisory board members. [2019 Integrated Report, 11/02/2020: asml.com] & [Annual Report 2020, 2021: asml.com]</p> <ul style="list-style-type: none"> • Not Met: At least one key HR risk, beyond employee H&S <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Performance criteria made public • Not Met: Review of other board performance criteria |
| A.2.4 | Business model strategy and risks | 0 | <p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Not Met: Board process to review business model and strategy • Not Met: Describe frequency and triggers for reviewing <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Meets both requirements under score 1 • Not Met: Example of actions decided |

B. Embedding Respect and Human Rights Due Diligence (25% of Total)

B.1 Embedding Respect for Human Rights in Company Culture and Management Systems (10% of Total)

| Indicator Code | Indicator name | Score (out of 2) | Explanation |
|----------------|--|------------------|--|
| B.1.1 | Responsibility and resources for day-to-day human rights functions | 0.5 | <p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Not Met: Score of 1 on A.1.2.a: See indicator A.1.2.a • Met: Senior responsibility for HR implementation and decision making: The Company indicates in the 'Respecting Human Rights' section: 'The overall responsibility for identifying and managing human rights issues in our direct operations falls under the remit of our Executive Vice President HR. Responsibility for human rights in our supply chain falls under the remit of our Executive Vice President & Chief Strategy Officer. [...] Our Sustainability Strategy is approved and signed off by our Board of Management. The highest member of the organization directly responsible for sustainability matters is our Executive Vice President and Chief Strategy Officer, who is a member of the Board of Management. Each of the material and corporate citizenship themes is assigned to a senior manager, whose responsibility is to monitor progress against agreed targets and ensure availability of sufficient resources to meet targets and objectives'. [2019 Integrated Report, 11/02/2020: asml.com] <p>Score 2</p> <ul style="list-style-type: none"> • Met: How it assigns Day-to-day responsibility: The Company indicates in its Annual Report 2020: 'Our Ethics Office is responsible for overseeing and implementing our Ethics program. All reports of a possible breach of ASML's Code of Conduct are screened by one of the Ethics Officers and all significant reports are discussed with the Ethics Committee. Our ethics organization includes employees who, in addition to their regular roles at ASML, act as Ethics Liaisons in all the countries we operate in. They serve as trusted representatives, and act as the first local point of contact for employees with questions and concerns related to ethics.' [Annual Report 2020, 2021: asml.com] • Not Met: Day-to-day resources and expertise allocation in own ops • Not Met: Resources and expertise allocation in the supply chain |

| Indicator Code | Indicator name | Score (out of 2) | Explanation |
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| B.1.2 | Incentives and performance management | 0 | <p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Not Met: Senior manager incentives for human rights • Not Met: At least one key HR risk, beyond employee H&S <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Performance criteria made public • Not Met: Review of other senior management performance |
| B.1.3 | Integration with enterprise risk management | 0.5 | <p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Met: HR risks is integrated as part of enterprise risk system: The Company describes its ERM: 'We deploy our ERM framework through a well-defined governance structure and a robust ERM process. The Risk and Business Assurance function drives the ERM process and associated activities across ASML and its affiliates. It takes a systematic approach to identify, manage and monitor risks in pursuit of our business objectives by setting standards and enabling management to make ASML's governance, risk management, internal control and compliance more efficient and effective. [...] The ASML risk universe is a consolidated overview of the risks that may have a material adverse effect in achieving our business objectives. It consists of 38 risk categories grouped into six risk types. [...] The risk universe is reviewed, updated and approved on a yearly basis, or more frequently in case of significant internal and/or relevant external developments. [...].' Among the ASML risk universe is 'Legal and Compliance', where human Rights issues are included. [Annual Report 2020, 2021: asml.com] • Not Met: Provides an example <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Audit Ctte or independent risk assessment |
| B.1.4.a | Communication /dissemination of policy commitment(s) to workers and external stakeholders | 0.5 | <p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Not Met: Score of 1 on A.1.2.a: See indicator A.1.2.a • Met: Communicates its policy to all workers in own operations: The Company indicates in its Annual Report 2020: 'We provide a dedicated Ethics Program, which offers the necessary support, advice, training and communication to enable employees and others to understand and follow our Code. It does this by building awareness through various communication channels to foster a culture of integrity. It also helps create an open and honest culture where the instinct to do the right thing, and to comply with the law and ASML policies, is embedded across the organization. In 2020, we developed a new ethics training curriculum, which introduces and raises awareness about the Code and related topics in an interactive and inspiring way. The curriculum includes five modules for all employees, and a separate module for managers that needs to be completed over a period of two years. The modules cover our Code and other compliance-related topics, and raise awareness around the importance of ethical behavior and our Speak Up policy'. The Code of Conduct includes human rights. [Annual Report 2020, 2021: asml.com] <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Communication of policy commitments to stakeholder • Not Met: How policy commitments are made accessible to audience |
| B.1.4.b | Communication /dissemination of policy commitment(s) to business relationships | 0.5 | <p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Not Met: Meets ILO requirement for suppliers on A.1.2.a: See indicator A.1.2.a • Met: Requires suppliers to communicate policy requirements: The Company indicates in its 2018 Integrated Report (dated 2019) the following: 'Compliance with the Responsible Business Alliance Code of Conduct is a prerequisite for doing business with us, and we actively pursue our suppliers' adherence to this code. The requirement to meet human rights and other ethical RBA standards is included in our long-term product-related supplier contracts, along with the right to audit RBA compliance.' The RBA Code of Conduct requires: 'At a minimum, Participants shall also require its next tier suppliers to acknowledge and implement the Code'. [RBA Code of Conduct (version 7.0), 2021: responsiblebusiness.org] & [Integrated Report 2018, 2019: asml.com] <p>Score 2</p> <ul style="list-style-type: none"> • Met: How HR commitments made binding/contractual: As indicated above, the Company states in its Code of Conduct: 'ASML's suppliers follow the Code by (contractually) committing to implement the Responsible Business Alliance (RBA) Code of Conduct. To reinforce our commitment to the supplier network, we expect our key suppliers and their suppliers to comply with the RBA Code of Conduct and to develop their own strategies, policies and processes to follow it. This requirement is included in our long-term product-related suppliers' contracts.' [Code of Conduct, 01/11/2020: asml.com] |

| Indicator Code | Indicator name | Score (out of 2) | Explanation |
|----------------|-----------------------------------|------------------|--|
| | | | <ul style="list-style-type: none"> • Not Met: Company requires suppliers to cascade down to their suppliers |
| B.1.5 | Training on Human Rights | 0.5 | <p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Not Met: Scores at least 1 on A.1.2.a: See indicator A.1.2.a • Met: How workers are trained on HR policy commitments: The Annual report 2020 indicates: 'We provide a dedicated Ethics Program, which offers the necessary support, advice, training and communication to enable employees and others to understand and follow our Code. It does this by building awareness through various communication channels to foster a culture of integrity. It also helps create an open and honest culture where the instinct to do the right thing, and to comply with the law and ASML policies, is embedded across the organization. In 2020, we developed a new ethics training curriculum, which introduces and raises awareness about the Code and related topics in an interactive and inspiring way. The curriculum includes five modules for all employees, and a separate module for managers that needs to be completed over a period of two years. The modules cover our Code and other compliance-related topics, and raise awareness around the importance of ethical behavior and our Speak Up policy.' In addition, it indicates that 88% of its workers completed the Code of Conduct online training. The Code of Conduct includes human rights. [2019 Integrated Report, 11/02/2020: asml.com] & [Annual Report 2020, 2021: asml.com] • Not Met: Trains relevant managers including procurement <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Score of 2 on A.1.2.a: See indicator A.1.2.a • Not Met: Meets both requirements under score 1 • Not Met: Trains suppliers to meet company's HR commitment • Not Met: Disclose % trained |
| B.1.6 | Monitoring and corrective actions | 0.5 | <p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Not Met: Scores at least 1 on A.1.2.a: See indicator A.1.2.a • Not Met: Monitoring implementation of HR policy commitments across global ops and supply chain: The Integrated Report states that: 'The role of our corporate compliance function is to make sure we conduct business in compliance with all relevant national and international laws and regulations, as well as professional standards, accepted business practices and our own internal standards'. It is not clear, however, whether this process includes monitoring human rights/labour standards (and how). On the other hand, the Company states that it is committed 'to comply to the RBA Code in our own operations, progressively implementing the RBA approach and tools in the spirit of the industry's common goals'. However, it is not clear whether the monitoring process according to the RBA Code has been incorporated. With respect the supply chain, the Company indicates in its Annual Report 2020: 'We assess compliance with the RBA Code of Conduct through a risk-based approach. We scan all new suppliers for potential high risks and work with them during the onboarding process to remedy any issues we identify. We expect our strategic and high-risk suppliers to complete the RBA Self-Assessment Questionnaire (SAQ) each year to validate their compliance with the RBA Code of Conduct and to determine a supplier's potential gaps in relation to the standards set forth in the RBA Code of Conduct. [...] Our robust risk-based assessment and audit process for suppliers covers human rights issues. [...] 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. For major product-related and non-product related suppliers covering 80% of our spend, we expect them to complete the annual RBA SAQ. This SAQ covers more than 400 risk elements related to labor (including human rights), ethics, environmental and safety factors, control elements and management systems, including their performance. It helps us to determine a supplier's risk profile on sustainability. When we identify compliance gaps, we engage with the supplier to determine corrective action plan(s).' No further information describing how the Company monitors its own operations was found in the latest review. [2019 Integrated Report, 11/02/2020: asml.com] & [Annual Report 2020, 2021: asml.com] • Met: Proportion of supply chain monitored: The Company discloses the number of supplier audits (0 because of COVID), supplier risk profile (188), the number of suppliers that complete the RBA SAQ (49) and the number of suppliers in its Annual Report 2020 (4,749), so it is possible to calculate the percentage of suppliers audited. [Annual Report 2020, 2021: asml.com] • Not Met: Describe how workers are involved in monitoring <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Score of 2 on A.1.2.a: See indicator A.1.2.a |

| Indicator Code | Indicator name | Score (out of 2) | Explanation |
|----------------|---|------------------|---|
| | | | <ul style="list-style-type: none"> • Not Met: Describes corrective action process: In addition, the Company indicates: 'If a supplier does not conform to our required standards, our policy is to discuss mitigating measures'. However, no further information found describing its corrective action process and the number of incidences. [Annual Report 2020, 2021: asml.com] • Not Met: Disclose findings and number of corrective action |
| B.1.7 | Engaging and terminating business relationships | 0.5 | <p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Met: HR affects selection of suppliers: The Company indicates in its Code of Conduct: 'To reinforce our commitment to the supplier network, we expect our key suppliers and their suppliers to comply with the RBA Code of Conduct and to develop their own strategies, policies and processes to follow it. This requirement is included in our long-term product-related suppliers' contracts.' In addition, in its Annual Report 2020, it indicates: 'We assess compliance with the RBA Code of Conduct through a risk-based approach. We scan all new suppliers for potential high risks and work with them during the onboarding process to remedy any issues we identify'. [Code of Conduct, 01/11/2020: asml.com] & [Annual Report 2020, 2021: asml.com] • Not Met: HR affects on-going supplier relationships: In addition, the Company indicates: 'When we identify compliance gaps, we engage with the supplier to determine corrective action plan(s).' However, it is not clear how human rights performance affects its decisions to renew, expand or terminate business relationships. [Annual Report 2020, 2021: asml.com] <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Describe positive incentives offered to respect human rights • Not Met: Working with suppliers to meet HR requirements |
| B.1.8 | Approach to engagement with affected stakeholders | 0 | <p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Not Met: Stakeholder process or systems to identify and engage with workers/communities in the last two years: The Company indicates in its Annual Report 2020: 'We define stakeholders as those individuals or groups or organizations that can affect or can be affected by our business. We regard five stakeholder groups: shareholders, customers, suppliers (including contractors), employees and society (e.g. local community, governments and authorities, industry union, labor organizations, other associations, media and NGOs). Continuous stakeholder engagement, in which we embrace open dialogue and knowledge-sharing, are important in an innovation-driven industry and helps us to identify the areas of improvement. We communicate with our stakeholders through various channels and at a variety of levels. The methods of engagement will vary depending on the stakeholders, the issues of concern and the purpose of engagement. The following table is an overview of our main stakeholder groups, the way we communicate with them and an overview of the topics most relevant to them.' However, no evidence found on how it has identified and engaged (in a human rights context) with affected or potentially affected stakeholders (including workers and local communities in the supply chain) in the last two years. [Annual Report 2020, 2021: asml.com] • Not Met: Discloses stakeholders that HRs may be affected • Not Met: Provides two examples of engagement with stakeholders <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Analysis of stakeholder views on company's HR issues: The Company presents an overview of the topics more relevant for each one of the stakeholder groups. However, no further information found, including views given by the stakeholders about human rights and how those views were taken into account. [Annual Report 2020, 2021: asml.com] • Not Met: Describe how views influenced company's HR approach |

B.2 Human Rights Due Diligence (15% of Total)

| Indicator Code | Indicator name | Score (out of 2) | Explanation |
|----------------|--|------------------|---|
| B.2.1 | Identifying human rights risks and impacts | 0 | <p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Not Met: Identifying risks in own operations: The Company states in its Annual Report 2020: 'We identify and manage human rights issues in various ways, for example stakeholder engagement, internal human rights assessment in our operations, and suppliers' due diligence and sustainability risk management. [...] In 2019, we conducted a risk assessment to identify the inherent risks related to human rights within our own operations'. However, no details found on the process followed. In the Integrated Report 2019, it indicated: 'In 2019, we conducted a risk assessment to identify the inherent risks related to human rights within ASML's ecosystem. This was based on the UN Guiding Principles on Business and Human Rights, ASML's Human Rights policy and the Code of Conduct of the Responsible Business Alliance (RBA). The assessment results have been shared with the Ethics Board, chaired by our CEO'. With respect supply chain, the Company indicates in its Annual Report 2020: 'We assess risks related to human rights in our supply chain through a risk-based approach. In our due diligence process, we use the 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. For strategic suppliers covering around 80% of our product related spend, we expect them to complete the annual RBA SAQ. This SAQ covers more than 400 risk elements related to labor (including human rights), ethics, environmental and safety factors, control elements and management systems, including their performance. It helps us to determine a supplier's risk profile on sustainability. When we identify compliance gaps, we engage with the supplier to determine corrective action plan(s)'. However, the description given seems related to monitoring compliance according to the different risk elements, rather than following a proactive risk based approach, as this indicator looks for evidence of how the Company identifies potential risks and impacts it may face. No further details describing the actions taken by the Company to identify potential risks and impacts in its own operations were found. [2019 Integrated Report, 11/02/2020: asml.com] & [Annual Report 2020, 2021: asml.com] • Not Met: Identifying risks through relevant business relationships: The Company states that 'Our robust risk-based assessment and audit process for suppliers covers human rights issues. In our due diligence process, we use the 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. For strategic suppliers covering 80% of our product-related spend, we expect them to complete the annual RBA SAQ. This SAQ covers more than 400 risk elements related to labor (including human rights), ethics, environmental and safety factors, control elements and management systems, including their performance. It helps us to determine a supplier's risk profile on sustainability. When we identify compliance gaps, we engage with the supplier to determine corrective action plan(s). In the 2019 RBA SAQ program, we identified three suppliers with high risk on labor. These related to management systems rather than actual breaches of human rights. We are following up on improvements with these suppliers'. However, the description given seems related to monitoring compliance according to the different risk elements, rather than following a proactive risk based approach, as this indicator looks for evidence of how the Company identifies potential risks and impacts it may face. No further details describing the actions taken by the Company to identify potential risks and impacts in its own operations were found. [2019 Integrated Report, 11/02/2020: asml.com] <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Describe ongoing global risk identification in consultation with stakeholder/HR experts • Not Met: Triggered by new circumstances • Not Met: Describes risks identified |
| B.2.2 | Assessing human rights risks and impacts | 1 | <p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Not Met: Describe process for assessment of HR risks and discloses salient HR issues: The Company indicates: 'In 2019, we conducted a risk assessment to identify the inherent risks related to human rights within ASML's ecosystem. This was based on the UN Guiding Principles on Business and Human Rights, ASML's |

| Indicator Code | Indicator name | Score (out of 2) | Explanation |
|----------------|--|------------------|---|
| | | | <p>Human Rights policy and the Code of Conduct of the Responsible Business Alliance (RBA). The assessment results have been shared with the Ethics Board, chaired by our CEO.¹ However, no further information found about the processes for assessing its human rights risks and impacts, including factors taken into account (social, geographical, economic, etc.) in latest revision. [2019 Integrated Report, 11/02/2020: asml.com]</p> <ul style="list-style-type: none"> • Not Met: How process applies to supply chain • Met: Public disclosure of the results of HR assessment: The Company states: The results of our analysis showed that the inherent risk of human rights vulnerabilities in ASML's own operations are working hours and overtime, health and safety, and workplace harassment. The vulnerable rightsholder groups identified within ASML are contractors, ethnic minorities and migrant workers.¹ [Annual Report 2020, 2021: asml.com] <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Meets all requirements under score 1 • Not Met: How it involved affected stakeholders in the assessment |
| B.2.3 | Integrating and acting on human rights risks and impact assessments | 1 | <p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Not Met: Action Plans to mitigate risks: Although the Company reports on corrective actions to solve findings made during monitoring process, and it presents its work done during the year in its Integrated Report, no description found of a global system / Action Plan to take action to prevent, mitigate or remediate its salient human rights issues identified and assessed in its human rights due diligence process. Current evidence seems focus in compliance monitoring that risk-based approach mitigation. No further information found in latest revision. [2019 Integrated Report, 11/02/2020: asml.com] • Not Met: Description of how global system applies to supply chain • Met: Example of actions decided on at least 1 salient HR issues: The Company reports with respect one of its human rights risks identified: 'Health and safety. [...] We put significant effort into creating awareness and to have a proactive safety culture within ASML. In 2019, we increased our disclosure on health & safety indicators, based on OHSAS 18001 standards, such as the number of first-aid incidents and the number of near misses. [...] We provide employees with EHS training to raise their awareness, stimulate responsible behavior and familiarize them with EHS standards.[...] In 2019, we focused our attention on three main areas in product safety: Dangerous materials and shipment of dangerous materials (such as strong magnets that could cause interference with navigation, high-pressure items, filter purifiers, etc.). We launched a special project looking into dangerous goods, relating specifically to best practice around the shipping of dangerous goods. Safety requirements for suppliers. We have a number of ongoing pilot projects, looking at, for example, how suppliers design electrical, pressure and laser systems. Outsourcing sub-parts can present quality challenges, as quality issues could end up in our machines without our knowledge. As the end supplier, we have to be sure we guard against safety breaches'. [2019 Integrated Report, 11/02/2020: asml.com] <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Meets all requirements under score 1 • Not Met: Involve stakeholders in decisions about actions |
| B.2.4 | Tracking the effectiveness of actions to respond to human rights risks and impacts | 0 | <p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Not Met: System for tracking or monitor if actions taken are effective • Not Met: Lessons learnt from checking system effectiveness <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Meets both requirements under score 1 • Not Met: Involve stakeholders in evaluation of actions taken |
| B.2.5 | Communicating on human rights impacts | 0 | <p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Not Met: Provides two examples of comms with stakeholders <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Describe challenges to effective comms and how it is working to address them |

C. Remedies and Grievance Mechanisms (20% of Total)

| Indicator Code | Indicator name | Score (out of 2) | Explanation |
|----------------|---|------------------|---|
| C.1 | Grievance channel(s)/mechanism(s) to receive complaints or concerns from workers | 2 | <p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> Met: Channel accessible to all workers: The Company states in its Speak Up Policy that it applies to 'Anyone who carries out work for or on behalf of ASML worldwide: This includes employees, any person on ASML's or an affiliate's payroll, temporary workers working for or on behalf of ASML, volunteer workers, trainees, or self-employed persons. Any other person or party ASML is involved with professionally: This includes for example former employees, job applicants and anyone working as or under the supervision/direction of business partners, suppliers, shareholders, agents, distributors, representatives and customers. [...] you can contact our Speak Up Service. This is an independent, outside company that is available 24/7. You can contact them online through a portal or leave a voice message'. [Speak up - No retaliation Policy, 2021: asml.com] <p>Score 2</p> <ul style="list-style-type: none"> Met: Channel is available in all appropriate languages and workers aware: According to its Speak Up Policy its Speak Up Service 'This is an independent, outside company that is available 24/7. You can contact them online through a portal or leave a voice message. You can use the language of your choice, as the system will automatically translate your message and any reply that is sent to you'. In addition, the Annual Report 2020 states: 'In 2020, we developed a new ethics training curriculum, which introduces and raises awareness about the Code and related topics in an interactive and inspiring way. The curriculum includes five modules for all employees, and a separate module for managers that needs to be completed over a period of two years. The modules cover our Code and other compliance-related topics, and raise awareness around the importance of ethical behavior and our Speak Up policy.' [Speak up - No retaliation Policy, 2021: asml.com] & [Annual Report 2020, 2021: asml.com] Met: Describe how workers in the supply chain have access to grievance mechanism: The RBA Code of Conduct requires an 'effective grievance mechanism, to assess employees' understanding of and obtain feedback on or violations against practices and conditions covered by this Code and to foster continuous improvement.' And it also requires that 'At a minimum, Participants shall also require its next tier suppliers to acknowledge and implement the Code'. [RBA Code of Conduct (version 7.0), 2021: responsiblebusiness.org] Met: Expect Suppliers to convey expectation to their own suppliers: The RBA Code of Conduct requires an 'effective grievance mechanism, to assess employees' understanding of and obtain feedback on or violations against practices and conditions covered by this Code and to foster continuous improvement'. And it also requires that 'At a minimum, Participants shall also require its next tier suppliers to acknowledge and implement the Code.' [RBA Code of Conduct (version 7.0), 2021: responsiblebusiness.org] |
| C.2 | Grievance channel(s)/mechanism(s) to receive complaints or concerns from external individuals and communities | 0 | <p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> Not Met: Grievance mechanism for community: The Company states in its Speak Up Policy: 'This policy applies to: Anyone who carries out work for or on behalf of ASML worldwide: [...]. Any other person or party ASML is involved with professionally: This includes for example former employees, job applicants and anyone working as or under the supervision/direction of business partners, suppliers, shareholders, agents, distributors, representatives and customers'. However, there is no mention to individuals from local communities. Previous assessment was based on an earlier version of the Speak Up Policy, which is now outdated. [Speak up - No retaliation Policy, 2021: asml.com] <p>Score 2</p> <ul style="list-style-type: none"> Not Met: Describes accessibility and local languages and stakeholder awareness: As indicated above, it is not clear that local communities have access to the Company's grievance mechanism. [Speak up - No retaliation Policy, 2021: asml.com] Not Met: Communities access mechanism direct or through suppliers Not Met: Expect supplier to convey expectation to their own suppliers |
| C.3 | Users are involved in the design and performance of the channel(s)/mechanism(s) | 0 | <p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> Not Met: Engages users to create or assess system Not Met: Examples (at least two) of how they do this <p>Score 2</p> <ul style="list-style-type: none"> Not Met: Engages with potential or actual users on the improvement of the mechanism |

| Indicator Code | Indicator name | Score (out of 2) | Explanation |
|----------------|---|------------------|---|
| | | | • Not Met: Provides user engagement example (at least two) on improvement |
| C.4 | Procedures related to the mechanism(s)/channel(s) are equitable, publicly available and explained | 0.5 | <p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> Met: Response timescales and how complainants will be informed: The Company indicates in its Speak Up Policy: 'The Ethics Office will confirm they have received the report within seven days. [...] Generally, feedback and follow up are given within three months after confirmation of receipt of the initial report [...] The Ethics Office will provide you with as much information as possible regarding the expected approach and the steps they will take. [...] When you use the Speak Up Service, you will receive a unique code for each concern you report to keep track of your report' [Speak up - No retaliation Policy, 2021: asml.com] Not Met: Describe support (technical, financial,etc) available for equal access by complainants <p>Score 2</p> <ul style="list-style-type: none"> Not Met: Describe types of outcome to complainant through use of mechanism Not Met: Escalation to senior/independent level: The Company states in its Speak Up Policy: 'The Ethics Committee will inform you if the concern does not qualify as an ethics complaint. They will also provide you further information on dealing with the concern, such as referring you to the appropriate person, department or location. If you do not agree with this decision, you can report it directly to the Ethics Office or, if that is not possible, the chairperson of the Ethics Board'. However, it is not clear whether local communities have access to the grievance mechanism. [Speak up - No retaliation Policy, 2021: asml.com] |
| C.5 | Prohibition of retaliation for raising complaints or concerns | 0.5 | <p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> Not Met: Public statement prohibiting retaliation: The Company states in its Speak Up & Non-Retaliation Policy: 'ASML will do its utmost to protect anyone Speaking Up. We will not tolerate any form of retaliation or any other form of adverse consequences against employees or third parties who raise a concern in good faith or participate in an investigation about suspected violations of the Code, even if ASML could lose business as a result'. However, it is not clear whether local communities have access to the grievance channel. [Speak up - No retaliation Policy, 2021: asml.com] Met: Practical measures to prevent retaliation: It also states: 'Concerns are treated confidentially (and if preferred, anonymously). [...] Any retaliation, whether direct or indirect, against those who Speak Up is grounds for disciplinary measures against the retaliating party'. 'In 2020, we developed a new ethics training curriculum, which introduces and raises awareness about the Code and related topics in an interactive and inspiring way. The curriculum includes five modules for all employees, and a separate module for managers that needs to be completed over a period of two years. The modules cover our Code and other compliance-related topics, and raise awareness around the importance of ethical behavior and our Speak Up policy.' [Speak up - No retaliation Policy, 2021: asml.com] & [Annual Report 2020, 2021: asml.com] <p>Score 2</p> <ul style="list-style-type: none"> Not Met: Company indicate it will not retaliate against workers/stakeholders Not Met: Expects suppliers to prohibit retaliation against workers/stakeholders: The RBA Code of Conducts indicates: 'Participants should have a communicated process for their personnel to be able to raise any concerns without fear of retaliation.' However, the grievance channel required does not include external stakeholders. [RBA Code of Conduct (version 7.0), 2021: responsiblebusiness.org] |
| C.6 | Company involvement with state-based judicial and non-judicial grievance mechanisms | 0 | <p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> Not Met: Complainants not asked to waive rights: The company says: "The Ethics Committee may not always be able to give the full details of the progress of a case or any actions taken, and they can often not share the investigation report for reasons of confidentiality, privacy and the legal rights of all parties concerned." However, no information is provided as to whether complainants are being asked to waive their rights. [Speak up - No retaliation Policy, 2021: asml.com] Not Met: Company does not require confidentiality provisions <p>Score 2</p> <ul style="list-style-type: none"> Not Met: Will work with state based non judicial mechanisms Not Met: Example of issue resolved (if applicable) |
| C.7 | Remedying adverse impacts | 0 | <p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> Not Met: Describes how remedy has been provided: The company says "The policy includes, among others, our Ethics Investigation procedure, which outlines the investigation phases of an ethics complaints, from intake to remedy action and |

| Indicator Code | Indicator name | Score (out of 2) | Explanation |
|----------------|--|------------------|--|
| | | | <p>final closure." However, no detailed evidence was found that this remediation was actually taking place. [ASML Annual Report US GAAP 2021, 2022: asml.com]</p> <ul style="list-style-type: none"> • Not Met: Says how it would provide remedy for victims if no adverse impact identified: The company says "The policy includes, among others, our Ethics Investigation procedure, which outlines the investigation phases of an ethics complaints, from intake to remedy action and final closure." However, no detailed evidence was found of how this remediation would be provided. [ASML Annual Report US GAAP 2021, 2022: asml.com] <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Changes to systems, processes and practices to stop similar impact • Not Met: Describe approach to monitoring implementation of agreed remedy • Not Met: Approach to learning from incident to prevent future impacts |
| C.8 | Communication on the effectiveness of grievance mechanism(s) and incorporating lessons learned | 0 | <p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Not Met: Number grievances filed, addressed or resolved and outcome achieved: The company said that in 2021, 396 Speak Up Messages were logged, though it did not detail how many were resolved or any information about the outcomes achieved. [ASML Annual Report US GAAP 2021, 2022: asml.com] • Not Met: How lessons from mechanism improve management system <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Evaluation of the channel/mechanism and changes made as result • Not Met: Describes procedures to address delays of outcomes agreed with stakeholders |

D. Performance: Company Human Rights Practices (25% of Total)

| Indicator Code | Indicator name | Score (out of 2) | Explanation |
|----------------|---|------------------|---|
| D.4.1.a | Living wage (in own production or manufacturing operations) | 0.5 | <p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Met: Pays living wage or sets target date: The Company states that 'At ASML, we are committed to meeting adequate living wage requirements, meaning that employees earn salaries that meet their and their families' basic needs, but also provides some discretionary income. Our company has a predominantly highly educated workforce with relatively high levels of remuneration. In 2020, we conducted an analysis of how our lowest base salary compared to the local minimum wage and local 'living wage' in the countries and regions where we operate. We did not detect any gaps. On average, our salaries are significantly above local living wage.' [Annual Report 2020, 2021: asml.com] • Not Met: Describes how living wage determined: See above. However, no details found on how it determines living wage for the different regions, including whether involves relevant trade unions or equivalent worker bodies. [Annual Report 2020, 2021: asml.com] <p>Score 2</p> <ul style="list-style-type: none"> • Met: Paying living wage: See above. [Annual Report 2020, 2021: asml.com] • Not Met: Definition of living wage reviewed with unions |
| D.4.1.b | Living wage (in the supply chain) | 0 | <p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Not Met: Discloses living wage requirements in supplier code or contracts: In the RBA Code of Conduct, which the Company has adopted as a member of the Responsible Business Alliance and cascaded to its suppliers, it is stated: 'Compensation paid to workers shall comply with all applicable wage laws, including those relating to minimum wages, overtime hours and legally mandated benefits.' However, no evidence found of the Company indicating that it pays living wages which covers not only basic needs of employee and its family but also provides some discretionary income. [RBA Code of Conduct (version 7.0), 2021: responsiblebusiness.org] & [Responsible supply chain, N/A: asml.com] • Not Met: Improving living wage practices of suppliers <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Assessment of number affected by payment below living wage • Not Met: Provides analysis of trends demonstrating progress |
| D.4.2 | Aligning purchasing decisions with human rights | 0 | <p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Not Met: Avoids business model pressure on HRs (purchasing practices) • Not Met: Practices adopted to pay suppliers in line with agreed timeframes • Not Met: Review own operations to mitigate negative impact <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Meets all requirements under score 1 |

| Indicator Code | Indicator name | Score (out of 2) | Explanation |
|----------------|--|------------------|---|
| | | | <ul style="list-style-type: none"> • Not Met: Examples of how it assessed, addressed and change purchasing practices |
| D.4.3 | Mapping and disclosing the supply chain | 0 | <p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Not Met: Identifies direct and indirect suppliers back to manufacturing sites (factories or fields) <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Discloses names and locations of significant parts of SP and why • Not Met: Discloses which direct or indirect suppliers is involved in higher-risk activities |
| D.4.4.a | Prohibition of child labour: Age verification and corrective actions (in own production or manufacturing operations) | 0.5 | <p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Met: Does not use child labour: The Company states in its Human Rights Policy: 'ASML will not use child labor and will always adhere to the legal age requirements in all countries in which we operate. ASML does not employ children under the age of 15 or under the age of completing compulsory education. ASML will ensure proper management of student workers through proper maintenance of student records, due diligence of educational partners and protection of students' rights in accordance with applicable law and regulations.' In addition, in the RBA Code of Conduct, which the Company has adopted as a member of the Responsible Business Alliance, it is stated: 'Child labor is not to be used in any stage of manufacturing.' [Human Rights Policy, 07/2017: asml.com] & [RBA Code of Conduct (version 7.0), 2021: responsiblebusiness.org] • Not Met: Age verification of workers recruited <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Remediation if children identified |
| D.4.4.b | Prohibition of child labour: Age verification and corrective actions (in the supply chain) | 0.5 | <p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Met: Child Labour rules in codes or contracts: The Company requires its suppliers to comply with the RBA Code of Conduct. The RBA Code of Conduct indicates: 'Child labor is not to be used in any stage of manufacturing. [...] Participants shall implement an appropriate mechanism to verify the age of workers. [...] If child labor is identified, assistance/remediation is provided'. [RBA Code of Conduct (version 7.0), 2021: responsiblebusiness.org] • Not Met: How working with suppliers on child labour <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Assessement of number affected by child labour in supply chain • Not Met: Analysis of trends in progress made |
| D.4.5.a | Prohibition of forced labour: Recruitment fees and costs (in own production or manufacturing operations) | 1 | <p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Met: Job seekers and workers do not pay recruitment fee: In its Human Rights Policy, the Company indicates: 'For each pay period, employees shall be provided with a timely and understandable wage statement that includes sufficient information to verify accurate compensation for work performed.' A similar provision is included in the RBA Code of Conduct, which the Company has adopted as a member of the Responsible Business Alliance, and in addition, RBA Code indicates: 'Workers shall not be required to pay employers' agents or sub-agents' recruitment fees or other related fees for their employment. If any such fees are found to have been paid by workers, such fees shall be repaid to the worker.' [Human Rights Policy, 07/2017: asml.com] & [RBA Code of Conduct (version 7.0), 2021: responsiblebusiness.org] • Met: Commits to fully reimbursing if they have paid: In its Human Rights Policy, the Company indicates: 'For each pay period, employees shall be provided with a timely and understandable wage statement that includes sufficient information to verify accurate compensation for work performed.' A similar provision is included in the RBA Code of Conduct, which the Company has adopted as a member of the Responsible Business Alliance (website 'Responsible supply chain'), and in addition, RBA Code indicates: 'Workers shall not be required to pay employers' agents or sub-agents' recruitment fees or other related fees for their employment. If any such fees are found to have been paid by workers, such fees shall be repaid to the worker.' [Human Rights Policy, 07/2017: asml.com] & [RBA Code of Conduct (version 7.0), 2021: responsiblebusiness.org] <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: How practices are implemented and monitored for agencies, labour brokers or recruiters |

| Indicator Code | Indicator name | Score (out of 2) | Explanation |
|----------------|---|------------------|--|
| D.4.5.b | Prohibition of forced labour: Recruitment fees and costs (in the supply chain) | 0.5 | <p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> Met: Debt and fees rules in codes or contracts: The Company requires its suppliers to comply with the RBA Code of Conduct. The RBA Code of Conduct indicates: 'Forced, bonded (including debt bondage) or indentured labor, involuntary or exploitative prison labor, slavery or trafficking of persons is not permitted. [...] Workers shall not be required to pay employers' agents or sub-agents' recruitment fees or other related fees for their employment. If any such fees are found to have been paid by workers, such fees shall be repaid to the worker'. [RBA Code of Conduct (version 7.0), 2021: responsiblebusiness.org] Not Met: How working with suppliers on debt & fees <p>Score 2</p> <ul style="list-style-type: none"> Not Met: Assessment of the number affected by payment of recruitment fees Not Met: Analysis of trends in progress made |
| D.4.5.c | Prohibition of forced labour: Wage practices (in own production or manufacturing operations) | 0.5 | <p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> Not Met: Pays workers in full and on time Met: Payslips show any legitimate deductions: The Company states in its Human Rights Policy: 'ASML does not allow deduction from wages as a disciplinary measure unless serious grounds require otherwise. For each pay period, employees shall be provided with a timely and understandable wage statement that includes sufficient information to verify accurate compensation for work performed'. [Human Rights Policy, 07/2017: asml.com] <p>Score 2</p> <ul style="list-style-type: none"> Not Met: How these practices are monitored for agencies, labour brokers or recruiters |
| D.4.5.d | Prohibition of forced labour: Wage practices (in the supply chain) | 0.5 | <p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> Met: Requirement for suppliers to pay workers in full and on time in codes or contracts: The Company requires its suppliers to comply with the RBA Code of Conduct, which requires: 'For each pay period, workers shall be provided with a timely and understandable wage statement that includes sufficient information to verify accurate compensation for work performed.' [RBA Code of Conduct (version 7.0), 2021: responsiblebusiness.org] Not Met: How working with supply chain to pay workers regularly and on time <p>Score 2</p> <ul style="list-style-type: none"> Not Met: Assessment of the number affected by failure to pay directly Not Met: Provides analysis of trends demonstrating progress |
| D.4.5.e | Prohibition of forced labour: Restrictions on workers (in own production or manufacturing operations) | 1 | <p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> Met: Does not retain documents or restrict movement: The Company indicates in its Human Rights Policy that it 'does not allow for any form of slave, forced, bonded, indentured, or involuntary prison labor, debt bondage or any form of forced child labor. [...] Employees are free to leave work at any time or terminate their employment.' [Human Rights Policy, 07/2017: asml.com] <p>Score 2</p> <ul style="list-style-type: none"> Not Met: How these practices are monitored for agencies, labour brokers or recruiters |
| D.4.5.f | Prohibition of forced labour: Restrictions on workers (in the supply chain) | 0.5 | <p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> Met: Free movement rules in codes or contracts: The Company requires its suppliers to comply with the RBA Code of Conduct. The RBA Code of Conduct indicates: 'There shall be no unreasonable restrictions on workers' freedom of movement in the facility in addition to unreasonable restrictions on entering or exiting company- provided facilities including, if applicable, workers' dormitories or living quarters.[...] All work must be voluntary, and workers shall be free to leave work at any time or terminate their employment without penalty if reasonable notice is given as per worker's contract. Employers, agents, and sub-agents' may not hold or otherwise destroy, conceal, or confiscate identity or immigration documents, such as government-issued identification, passports, or work permits. Employers can only hold documentation if such holdings are required by law. In this case, at no time should workers be denied access to their documents.' [RBA Code of Conduct (version 7.0), 2021: responsiblebusiness.org] Not Met: How working with suppliers on free movement <p>Score 2</p> <ul style="list-style-type: none"> Not Met: Assessment of the number affected by retaining docs or restricting movement Not Met: Provides analysis of trends demonstrating progress |

| Indicator Code | Indicator name | Score (out of 2) | Explanation |
|----------------|--|------------------|---|
| D.4.6.a | Freedom of association and collective bargaining (in own production or manufacturing operations) | 1 | <p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Not Met: Commits not to interfere with union rights / Steps to avoid intimidation or retaliation: In its Human Rights Policy the Company includes a provision with respect freedom of association and collective bargaining: 'Freedom of association and the right to collective bargaining are self-evident, fundamental rights. As such, ASML is committed, in accordance with local laws, to respect the rights of all employees to form and join trade unions of their own choosing, to bargain collectively and to engage in peaceful assembly as well as respect the rights of workers to refrain from such activities. Employees and/or their representatives shall be able to openly communicate and share ideas and concerns with management regarding working conditions and management practices without fear of discrimination, reprisal, intimidation or harassment'. It is not clear whether it is committed to respect these rights in all contexts and locations (i.e. alternative mechanisms for those countries where there are legal restrictions to the exercise of these rights), as the Company indicates that it respects these rights 'in accordance with local laws'. [Human Rights Policy, 07/2017: asml.com] • Met: Discloses % total direct operations covered by collective CB agreements: The Company discloses the proportion of its workforce which is covered by a collective bargaining agreement in its Annual Report 2021: 52% (2021). [Annual Report 2021, 2022: asml.com] <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Meets both requirements under score 1 |
| D.4.6.b | Freedom of association and collective bargaining (in the supply chain) | 0 | <p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Not Met: FoA & CB rules in codes or contracts: The Company requires its suppliers to comply with the RBA Code of Conduct. The RBA Code of Conduct indicates: 'In conformance with local law, participants shall respect the right of all workers to form and join trade unions of their own choosing, to bargain collectively, and to engage in peaceful assembly as well as respect the right of workers to refrain from such activities. Workers and/or their representatives shall be able to openly communicate and share ideas and concerns with management regarding working conditions and management practices without fear of discrimination, reprisal, intimidation, or harassment.' However, it is not clear whether the Company is requiring to respecting those rights in all contexts, as it indicates 'in conformance with local law'. [RBA Code of Conduct (version 7.0), 2021: responsiblebusiness.org] • Not Met: How working with suppliers on FoA and CB <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Assessment of the number affected by restrictions to FoA and CB in the SP • Not Met: Provides analysis of trends demonstrating progress |
| D.4.7.a | Health and safety: Fatalities, lost days, injury, occupational disease rates (in own production of manufacturing operations) | 0.5 | <p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Met: Describes process to identify H&S risks and impacts: The Company indicates in its Annual Report 2020: 'We are committed to a well-established EHS management system. Our EHS management system is based on the ISO 45001 and complies with these requirements. We ensure continuous improvement through internal EHS audits. Incident management and risk management are key elements of our EHS management system. This process ensures we not only record incidents and injuries but also cases where we have unsafe situations or near-misses. These allow us to address high-risk situations before they can turn into actual incidents, and cause injuries to our employees. We investigate all incidents and near-misses to determine the root cause and take corrective action to prevent them from recurring or occurring in the future. It's impossible to completely eradicate risk, but we can work proactively at all levels to identify potential issues or concerns in the workplace and develop measures towards reducing these.' [Annual Report 2020, 2021: asml.com] • Met: Injury Rate or Lost days or Near Miss disclosures for last reporting period: The Company discloses figures about Employee Safety in its Integrated Report: Recordable incident rate 0,18 (The number of work-related injuries and illnesses, per 100 full-time workers) [Annual Report 2020, 2021: asml.com] • Met: Discloses Fatalities for last reporting period: The Company discloses figures about Employee Safety in its Integrated Report: fatalities: 0 [Annual Report 2020, 2021: asml.com] <p>• Not Met: Occupational disease rate for last reporting period</p> |

| Indicator Code | Indicator name | Score (out of 2) | Explanation |
|----------------|---|------------------|---|
| | | | <p>Score 2</p> <ul style="list-style-type: none"> Met: Set targets for H&S performance: According to its Integrated Report, the Company has as a health and safety target: ' [...] we are working towards a long-term ambition of zero injuries and work-related illnesses. [...] Our target is to prevent occupational health and safety incidents. To benchmark our performance against industry standards, we use a targeted recordable injury rate of 0.25, which represents world-class performance. But our ongoing ambition is zero, and this drives our continuous improvement in processes, working conditions and employee behavior.' [Annual Report 2020, 2021: asml.com] Met: Met targets or explain why not or what is doing to improve management systems: Our recordable incident rate decreased to 0.18 in 2020 (0.28 in 2019), outperforming industry benchmark of 0.25. The main reason for this decrease is the absence of office related injuries due to the work at home policy in 2020. In 2020, we continued our efforts to reinforce our safety culture program. As in previous years, we did not record any work-related fatalities or permanent disabilities. We register EHS-related incidents in line with the US Occupational Health and Safety Act.' [Annual Report 2020, 2021: asml.com] |
| D.4.7.b | Health and safety: Fatalities, lost days, injury, occupational disease rates (in the supply chain) | 0.5 | <p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> Met: Sets out clear Health and Safety requirements: The Company requires its suppliers to comply with the RBA Code of Conduct. The RBA Code of Conduct includes health and safety requirements, including the following topics: Occupational Safety; Emergency Preparedness; Occupational Injury and Illness; Industrial Hygiene; Physically Demanding Work; Machine Safeguarding; Sanitation, Food, and Housing; and Health and Safety Communication. [RBA Code of Conduct (version 7.0), 2021: responsiblebusiness.org] Not Met: Injury rate disclosures and lost days (or near miss disclosures) for the last reporting period Not Met: Fatalities disclosures for lasting reporting period Not Met: Occupational disease rates for the last reporting period <p>Score 2</p> <ul style="list-style-type: none"> Not Met: How working with suppliers on H&S Not Met: Assessment of the number affected by H&S issues in the SP Not Met: Provide analysis of trends in progress made |
| D.4.8.a | Women's rights (in own production or manufacturing operations) | 0 | <p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> Not Met: Process to stop harassment and violence against women: The Company states in its Code of Conduct that it 'does not tolerate any form of harassment of employees or co-workers, or the threat thereof.' However, CHRB could not find further information describing its processes to prohibit harassment or discrimination against women. [Human Rights Policy, 07/2017: asml.com] Not Met: Working conditions take account of gender Not Met: Measures and steps to address gender pay gap at all levels of employment <p>Score 2</p> <ul style="list-style-type: none"> Not Met: Meets all requirements under score 1 Not Met: Provides analysis of trends demonstrating closing gender pay gap |
| D.4.8.b | Women's rights (in the supply chain) | 0 | <p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> Not Met: Women's rights in codes or contracts: The Company requires its suppliers to comply with the RBA Code of Conduct. The RBA Code of Conduct indicates: 'Reasonable steps must also be taken to remove pregnant women and 'nursing mothers from working conditions with high hazards, remove or reduce any workplace health and safety risks to pregnant women and nursing mothers, including those associated with their work assignments, and provide reasonable accommodations for nursing mothers.' However, there is no reference to measures to ensure equal opportunities throughout all levels of employment . [RBA Code of Conduct (version 7.0), 2021: responsiblebusiness.org] Not Met: How working with suppliers on women's rights <p>Score 2</p> <ul style="list-style-type: none"> Not Met: Assessment on the number affected by discrimination or unsafe working conditions Not Met: Provide analysis of trends in progress made |

| Indicator Code | Indicator name | Score (out of 2) | Explanation |
|----------------|---|------------------|--|
| D.4.9.a | Working hours (in own production or manufacturing operations) | 0.5 | <p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Not Met: Respects max hours, min breaks and rest periods in its own operations: The Company states in its Human Rights Policy that 'Workweeks are not to exceed the maximum set by local law. A workweek should not be more than 60 hours per week, including overtime, except in emergency or unusual situations. Employees have the right to have at least one day off per seven-day period. ASML aims to increase the employability of its employees by amongst others focusing on flexibility: working practices that acknowledge and support employees to achieve a balance between their home and working lives in the different stages of their life'. However, no evidence found of references to international standards in relation to working hours, standard weekly hours. [Human Rights Policy, 07/2017: asml.com] • Not Met: Assesses ability to comply with its commitments when allocating work/targets <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Meets both requirements under score 1 • Met: How it implements and checks this in its operations: The Company indicates in its Integrated Report 2019: 'We pay constant attention to protecting our employees from working overtime during peak periods. As overtime remains an important attention point for management, we keep monitoring the use of overtime and take appropriate measures to manage the situation.' In addition, in its 2018 Integrated Report (published 2019) it states: 'The nature of our business means employees often need to work significant amounts of overtime, taking responsibility for finishing projects on time. It is our policy to follow local rules regarding working hours. However, we apply our own company standards when these are stricter. Our company standards are based on Responsible Business Alliance norms. Due to high customer demand and job vacancies, there is still significant overtime. This applies particularly to Dutch employees who are temporarily working at an ASML or a client location abroad. As overtime remains an important attention point for management, we keep monitoring the use of overtime and take appropriate measures to manage the situation. We continue to raise awareness about our standards'. [2019 Integrated Report, 11/02/2020: asml.com] & [2019 Integrated Report, 11/02/2020: asml.com] |
| D.4.9.b | Working hours (in the supply chain) | 0 | <p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Not Met: Working hours in codes or contracts: The Company requires its suppliers to comply with the RBA Code of Conduct. The RBA Code of Conduct indicates: 'Working hours are not to exceed the maximum set by local law. Further, a workweek should not be more than 60 hours per week, including overtime, except in emergency or unusual situations. Workers shall be allowed at least one day off every seven days.' However, no evidence found of references to international standards and/or standard weekly hours. [RBA Code of Conduct (version 7.0), 2021: responsiblebusiness.org] • Not Met: How working with suppliers on working hours <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Assessment of number affected by excessive working hours • Not Met: Provide analysis of trends in progress made |
| D.4.10.a | Responsible mineral sourcing: Arrangements with suppliers and smelters/refiners in the mineral resource supply chains | 0.5 | <p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Met: Due diligence in accordance with OECD Guidance in supplier contracts: The RBA Code of Conduct requires: 'Participants shall adopt a policy and exercise due diligence on the source and chain of custody of the tantalum, tin, tungsten, and gold in the products they manufacture to reasonably assure that they are sourced in a way consistent with the Organisation for Economic Co-operation and Development (OECD) Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas or an equivalent and recognized due diligence framework'. The RBA standards are part of the Company's commercial contracts with its suppliers, according to its Code of Conduct: 'ASML's suppliers follow the Code by (contractually) committing to implement the Responsible Business Alliance (RBA) Code of Conduct. To reinforce our commitment to the supplier network, we expect our key suppliers and their suppliers to comply with the RBA Code of Conduct and to develop their own strategies, policies and processes to follow it. This requirement is included in our long-term product-related suppliers' contracts'. [RBA Code of Conduct (version 7.0), 2021: responsiblebusiness.org] & [Code of Conduct, 01/11/2020: asml.com] • Not Met: Works with smelters/refiners and suppliers to build capacity |

| Indicator Code | Indicator name | Score (out of 2) | Explanation |
|----------------|---|------------------|--|
| | | | <p>Score 2</p> <ul style="list-style-type: none"> Not Met: Contractual requirement to disclose smelter/refiner information: The RBA standards are part of the Company's commercial contracts with its suppliers, according to its Code of Conduct: 'ASML's suppliers follow the Code by (contractually) committing to implement the Responsible Business Alliance (RBA) Code of Conduct. To reinforce our commitment to the supplier network, we expect our key suppliers and their suppliers to comply with the RBA Code of Conduct and to develop their own strategies, policies and processes to follow it. This requirement is included in our long-term product-related suppliers' contracts.' However, no explicit requirement to disclose smelter/refiner information was found. Previous assessment was based on RBA Code of Conduct (version 6.0) which is now outdated. [RBA Code of Conduct (version 7.0), 2021: responsiblebusiness.org] & [Code of Conduct, 01/11/2020: asml.com] Not Met: Contractual requirement covers all minerals |
| D.4.10.b | Responsible mineral sourcing: Risk identification and responses in mineral supply chain | 0.5 | <p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> Not Met: Risk identification and disclosure in line with OECD Guidance Met: Identification of smelter/refiners and OECD Guidance: The Company indicates in its Conflict Mineral Report 2020: '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.' <p>[Conflict Minerals Report 2020, 2021: asml.com]</p> <p>Score 2</p> <ul style="list-style-type: none"> Not Met: Discloses smelters/refiners judged in line with OECD Guidance Not Met: Risk identification and disclosure covers all minerals |
| D.4.10.c | Reporting on responsible sourcing of minerals | 0 | <p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> Not Met: Describes mineral risk management plan for supply chain Not Met: Monitoring, tracking and whether better risk prevention/mitigation over time Not Met: Disclose better risk prevention/mitigation over time <p>Score 2</p> <ul style="list-style-type: none"> Not Met: Suppliers and stakeholders engaged in risk management strategy Not Met: Risk management and response processes cover all minerals |

E. Performance: Responses to Serious Allegations (20% of Total)

| Indicator Code | Indicator name | Score (out of 2) | Explanation |
|----------------|-------------------------|------------------|--|
| E(1).0 | Serious allegation No 1 | | No allegations meeting the CHRB severity threshold were found, and so the score of 13.72 out of 80 points scored in themes A-D has been applied to produce a score of 3.43 out of 20 points for theme E. |

Disclaimer

A score of zero for a particular indicator does not mean that bad practices are present. Rather it means that we have been unable to identify the required information in public documentation.

See the 2020 Key Findings report and the 2019 technical annex for more details of the research process.

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As WBA, we want to emphasise that the results will always be a proxy for good human rights management, and not an absolute measure of performance. This is because there are no fundamental units of measurement for human rights. Human rights assessments are therefore necessarily more subjective than objective. The Benchmark also captures only a snap shot in time. We therefore want to encourage companies, investors, civil society and governments to look at the broad performance bands that companies are ranked within rather than their precise score because, as with all measurements, there is a reasonably wide margin of error possible in interpretation. We also want to encourage a greater analytical focus on how scores improve over time rather than upon how a company compares to other companies in the same industry today. The spirit of the exercise is to promote continual improvement via an open assessment process and a common understanding of the importance of the UN Guiding Principles on Business and Human Rights.

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