

**ASML**



# Human Rights Policy

**2023**

# Purpose and scope



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The purpose of this policy is to express ASML's commitment to respecting internationally recognized human rights standards in our own operations, our supply chains, and the communities in which we conduct business.<sup>1</sup>

We support the guidelines laid down in the UN Guiding Principles on Business and Human Rights and we are committed to the International Bill of Human Rights. The provisions of this policy are derived from key international human rights standards including the ILO Declaration on Fundamental Principles and Rights at Work and the UN Declaration of Human Rights, the UN Global Compact, the principles specified in the OECD Guidelines for Multinational Enterprises, as well as other relevant standards such as the UN Women's Empowerment Principles, UNICEF's Children's Rights and Business Principles and the UN International Convention on the Protection of the Rights of all Migrant Workers and Members of Their Families.

Our Human Rights Policy complements our [ASML Code of Conduct](#) and the [Responsible Business Alliance \(RBA\) Code of Conduct](#). As a cornerstone of the Environmental, Social and Governance (ESG) strategy, it also sets out ASML's roadmap and initiatives towards effectively and responsibly managing areas of human rights impacts in the ecosystem where ASML operates.

This policy reflects a minimum standard. Where local legislation is stricter than this policy, local law will apply within the relevant jurisdiction. If obeying the law means that the minimum standard of this policy cannot be respected, ASML expects employees, as well as relevant stakeholder to seek ways to honor this policy as much as possible without violating local laws.

<sup>1</sup> 'ASML' refers to any company that is majority owned and controlled, directly or indirectly, by ASML Holding NV.

## To whom does this policy apply?

This policy applies to and aims to protect the rights of employees and other individuals within ASML's own operations as well as other protected groups and individuals, such as employees in our supply chain and affected communities.<sup>2</sup>

ASML expects its suppliers and business partners to participate in a common effort towards protecting human rights by for example, ensuring fair employment conditions, compliance with environmental responsibility laws and standards, health and safety, and ethical conduct standards in accordance with applicable laws and the [RBA Code of Conduct](#), [ASML Code of Conduct](#) and in particular, the human rights standards reflected in this policy.

## Our key commitments

- Our responsibility to respect human rights exists independently of the need to comply with national laws and regulations protecting human rights.
- We respect all fundamental human rights and acknowledge that they are universal. By promoting and upholding human rights, we strive to make a positive impact on the lives of those connected to, or impacted by, our business.
- We conduct business on the basis of fairness, good faith and integrity, and we expect the same from all those we work with.

<sup>2</sup> ASML may impose stricter requirements on certain functions and locations. Specific local law requirements relevant to ASML are available via local law guidelines



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We aim to create long-term value for our stakeholders and shape a sustainable future. To achieve these goals, we must focus our strategy on the ESG sustainability topics that matter most.

Our material topics represent our most significant impacts on the economy, environment and people, including their human rights.

## Diversity & inclusion

ASML is dedicated to building a safe and inclusive environment for our colleagues and wider community where everyone feels valued, respected and can fully contribute. At ASML, we are committed to treating everyone fairly and equally. Mutual respect, diversity and equality are key to a successful working environment. We respect and value different cultural identities and fully acknowledge individual contributions.

ASML's workforce should reflect the societies in which it operates and the markets it serves. Our inclusion and diversity goals are embedded in the global human resources strategy and underlying systems, processes and plans, as well as reflected in the Code of Conduct and ASML values.

ASML recognizes the importance of inclusion, as we believe it is only in a truly inclusive culture that people feel safe to [Speak Up](#).

## Non-discrimination

ASML does not tolerate any kind of discrimination. No form of discrimination based on race, color, age, sexual orientation, gender identity and expression, ethnicity or national origin, disability, medical condition, pregnancy, breastfeeding, marital status, religion, political affiliation, union membership, covered veteran status, protected genetic information or any other characteristics protected by law is allowed.

ASML expects its suppliers to take appropriate steps to ensure that its workers are not subject to discrimination.

## Harassment prohibition

ASML promotes a workplace that is free from any form of physical and verbal harassment. It does not tolerate any conduct that creates, encourages or permits an offensive, humiliating, intimidating or retaliating work environment. To ensure constant awareness and empower its employees to [Speak Up](#), an integrated communication approach and various training programs are in place. Likewise, ASML expects its suppliers to take appropriate steps to address harassment. ASML's [Speak Up](#) service is accessible via our website and available to any third party.

## Religious accommodations

ASML is committed to providing reasonable accommodation for religious practices and expects its suppliers to do the same.

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## Freedom of association

ASML is committed, in accordance with local laws, to respecting 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 the right for workers to refrain from such activities.

ASML encourages its employees and/or their representatives to openly communicate and share ideas and concerns with management regarding working conditions and management practices without fear of discrimination, retaliation, intimidation or harassment.

ASML expects its suppliers to take steps to ensure that the principles of freedom of association are observed and respected with regard to their own employees and others connected with their business operations.

ASML will enable alternative means of dialogue between workers and when local laws have restrictions on forming or joining workers associations or collective bargaining.

## Working hours and minimum wage

Workweeks are not to exceed the maximum set by local laws. In the event that local laws do not stipulate a maximum, ASML applies the International Labor Standards of the International Labor Organization and the RBA norms, including those that are applicable to overtime hours. In addition, ASML is committed to respecting the right to rest and leisure including reasonable working hours. Unless local laws stipulate otherwise, a workweek should not be more than 60 hours per week including overtime, except in an emergency or unusual situation. The standard weekly working hours in the locations where we operate are on average 40 hours.

ASML is committed to paying fair and balanced salaries and benefits. ASML employee wages must, at a minimum, comply with all applicable wage laws, including those relating to living wages, equal wages for all genders, overtime hours and legally mandated benefits. 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.

Equally, we expect our suppliers and other business partners to ensure a living wage for workers in the supply chain. We acknowledge that ASML has an active role to play in ensuring a living wage by continuously improving its purchasing practices.

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## Work-life balance

ASML aims to increase practices that acknowledge and support employees in achieving a balance between family and work at different stages of their lives. In this way, ASML is committed to supporting employees' rights to health and family life.

We take a holistic approach to well-being and have indicated four dimensions that make up a person's sense of well-being: mental, physical, social and financial well-being.

## Data protection & privacy

ASML values and respects the fundamental right of privacy and is committed to protecting the personal data of employees, customers, suppliers and everyone whose personal data we process, as mentioned in our [Code of Conduct](#).

To achieve these goals, we have a dedicated [Global Privacy Policy](#) to help us ensure that personal data is processed in an ethical, fair and lawful manner. The policy sets out the minimum requirements from the perspective of ASML as a global organization.

## Workplace health and safety

Workplace health and safety is an integral part of our daily work. More than just a priority, it is central to everything we do.

We work to ensure we provide injury-free and healthy working conditions for everyone on our premises by eliminating hazards and reducing safety risks. Training is an important way to prepare and inform our people about our safety rules and behavior.

It provides knowledge and behavioral guidelines for a safe place to work. To improve our performance, we encourage our employees to [Speak Up](#) whenever they encounter safety risks.

ASML recognizes that its supply chains may be based in countries with weak labor laws that fail to ensure workers' health and safety. We collaborate with our suppliers to have a sustainable and resilient supply chain and integrate supplier engagement into our supplier selection, supply chain risk management, and supplier performance management.

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## Freedom from forced and bonded labor

All work must be conducted on a voluntary basis and never be under threat of any penalty, sanction or coercion.

ASML prohibits the use of bonded or forced labor and is committed to addressing the topic of modern slavery across its operations and in its supply chain.

At ASML, work should not be subject to mental or physical oppression or duress. Employees shall never be required to lodge financial deposits or surrender original government-issued identification, passports or work permits as a condition of employment.

ASML will not tolerate any kind of forced labor, modern slavery or human trafficking in its business or supply chain. This includes transporting, harboring, recruiting, transferring or receiving vulnerable persons by means of threat, force, coercion, abduction or fraud for the purpose of exploitation.

When working with contractors or recruitment agencies, ASML is committed to paying particular attention to ensure that no recruitment fees are paid and that employees keep control over their own identity papers. We expect the same from our suppliers.

## Child labor & young workers

ASML is committed to not using child labor and will always adhere to the legal age requirements in all countries in which it operates. ASML does not employ children under the age of 15 or under the age of completing compulsory education, or under the minimum age for employment in the country, whichever is greater.

ASML is committed to improving its purchasing practices, in collaboration with suppliers, to identify, prevent and mitigate the risks of child labor and its adverse impacts on those who are vulnerable.

ASML is also committed to ensuring proper management of student workers through accurate maintenance of student records, due diligence of educational partners and protection of students' rights in accordance with applicable laws and regulations. We ensure that young workers do not conduct hazardous work and that they receive adequate and specific instructions and, where appropriate, vocational training.

If we should identify actual child labor risks in our supply chain, we are committed to collaborating with suppliers in order to address any adverse impacts on children's rights. In doing so, we ensure children do not end up worse off after the violation has been addressed, but instead receive education and support.

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## Conflict minerals

It is ASML's goal not to use tantalum, tin, tungsten and gold (3TG) from Democratic Republic of the Congo or an adjoining country in its manufacturing processes and products, that contribute to conditions of armed conflict and/or serious human rights abuses. ASML is committed to a conflict-free minerals policy for the responsible sourcing of materials in its supply chain and supports international efforts in this regard.

ASML has adopted various measures based on the legal requirements and guidelines of the five-step framework set out by the OECD Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas. As part of our responsible sourcing program, we implement a reasonable country of origin inquiry (RCOI) focusing on five areas:

- A robust management system
- Risk identification
- Risk mitigation
- Industry collaboration with the Responsible Minerals Initiative (RMI) organization
- Public reporting

The Conflict Minerals team, comprising sourcing, development and engineering, sustainability experts, finance and legal & compliance agrees on an approach to meet ASML's reporting requirements with respect to Conflict Minerals and to ensure that the RCOI and due diligence is carried out in accordance with applicable Conflict Minerals regulations. The results of our due diligence activities are reviewed and discussed with the CEO and other members of senior management.

The requirement for suppliers to comply with our policy is included in the RBA Code of Conduct and the ASML Supplier Handbook: we expect that our suppliers have established similar due diligence programs for their own supply chain and we pro-actively support them in ensuring this. We strive to determine the precise origin of 3TG minerals in all our products and seek ways to continuously improve the response rate from suppliers. We encourage our suppliers to trace the origins of the 3TG minerals within their supply chain in accordance with applicable conflicts minerals rules and regulations.

ASML encourages suppliers and sub-suppliers to cooperate with ASML in raising and addressing concerns regarding conflict minerals via its Speak-Up system.

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The ASML Human Rights Program is framed by this policy and a governance structure that is designed to enable and facilitate relevant stakeholder dialogue and external expertise review.

The overall goal of the program is to ensure the implementation of processes and activities designed to identify potential and actual adverse impacts on human rights in ASML's own activities and in its supply chain, to identify where ASML has leverage to make a difference, to prioritize high impact areas, and to remediate, where relevant, the infringement of human rights occurring in connection with the conduct of our business activities.

## The ASML Human Rights Committee

ASML has implemented a Human Rights Committee. The committee oversees ASML's Human Rights Program, promotes an organizational culture that is committed to supporting human rights and meets regularly to evaluate the effectiveness and progress of the Human Rights Program. Guided by the Human Rights Committee, various internal stakeholders drive, oversee and coordinate relevant risk and/or saliency assessments and due diligence processes to identify and mitigate risks.

The committee is cross-functional and includes:

- Ethics & Business Integrity (Legal & Compliance)
- Corporate Secretariat and Governance (Legal & Compliance)
- ESG Sustainability
- HR
- Sourcing & Procurement

## Stakeholder dialogue

ASML is committed to maintaining ongoing dialogue with our stakeholders. ASML believes that engaging with internal and external stakeholders, such as business partners, human rights experts, NGOs and communities, is essential to improving our human rights strategy.

## Awareness and training

ASML provides global communication and awareness campaigns, e-learning and face-to-face trainings reinforcing ASML values, principles and policies that cover human rights topics. These initiatives are intended to help employees understand and apply ASML principles and values in their work environment and learn how to [Speak Up](#), if needed.

## Due diligence and remediation

ASML is committed to doing what is practicable and to using any leverage it may have in proactively identifying and mitigating (potential) adverse human rights impacts in its operations and its supply chain. We perform due diligence on prospective suppliers and new business relations. We manage vendor risks throughout the life cycle of our business relationships by carrying out a systematic periodic review.

We are committed to continuously improving our approach so that we can tailor it to the specific requirements of human rights due diligence and pending legislation. We expect the same commitment from our employees, suppliers and other stakeholders.





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## Speak Up

Employees, business partners and any third party can raise questions and/or concerns regarding potential and actual adverse human rights impacts related to this policy with the [Ethics Office](#) or via the [Speak Up Service](#). In alignment with the effectiveness criteria of the UN Guiding Principles, the ASML Speak Up channels are available not only for employees but also for all other affected stakeholders such as workers in ASML's value chain and other individuals whose rights may be negatively impacted by ASML's business, as well as human rights interest groups, trade unions and the like. For more information, please refer to our [Speak Up and Non-retaliation Policy](#).

ASML does not tolerate any form of retaliation against those who [Speak Up](#) and report a concern in good faith. You should contact the [Ethics Office](#) if you feel that your report may lead to or has led to any negative consequences.

## Public reporting

On an annual basis, ASML will report publicly on our practices regarding Human Rights.

## Questions

We expect our employees and our business partners to always act in line with the [Code of Conduct](#) and this policy, use common sense and, if needed, seek guidance or support.

As an employee, if you have questions about this policy or applicable laws and regulations, please contact the [Ethics Office](#), [ASML Speak Up Service](#) or your local Legal & Compliance team.

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Policy owner	Legal & Compliance Department – Ethics & Business Integrity
Policy contact	Ethics & Business Integrity De Run 6501 5504 DR Veldhoven The Netherlands <a href="mailto:ethicsoffice@asml.com">ethicsoffice@asml.com</a> +31 40 268 9404
Effective date	July, 2023
Version	3.0
Replaces	ASML Human Rights Policy 2017
Review and amendment	This policy is periodically reviewed by Legal & Compliance and approved by the Ethics Board, as revisions may be required due to changes in laws or regulations or changes in our business or the business environment.
Related documents	<a href="#">ASML Code of Conduct</a> <a href="#">ASML Speak Up &amp; Non-retaliation Policy</a> <a href="#">Global Privacy Policy</a> <a href="#">ASML Sustainability Policy</a>
Note	The English version of the policy is leading in case of differences in interpretation based on available translations.