The agreement between the Netherlands, Aruba, Curaçao and Sint Maarten pursuant to Section 38, subsection 1, of the Charter for the Kingdom of the Netherlands regarding the transfer of persons who have been deprived of their liberty on the basis of a custodial sentence (ORD III) is aimed at resocialisation. What does the arrangement mean for you, as an inmate? This has been outlined in writing and graphics.

**Application for transfer**

In this event you are serving a prison sentence within the Kingdom of the Netherlands, or you just had a term of imprisonment imposed on you there. In that case you may apply for a transfer to an institution in a different country within the Kingdom. This may be done only if it increases your chances for a good return to society. This can be the case, for example if you are imprisoned in a country other than that the country in which you reside.

The intention is that you will serve the rest of your prison sentence in the country of your preference. You will also be released in that country.

**Conditions**

Strict conditions apply to transfers. The Minister of Justice (and Security) will consider whether the resocialisation interest that you have indicated are warranted by detention in another country within the Kingdom. It is also determined whether a transfer serves the interests of criminal proceedings. In addition, the transfer may not endanger public safety.

You must in any case meet the following procedural requirements:

- The sentence must be final and conclusive (so you can no longer appeal.).
- You did not submit another application for transfer in the year preceding this application.
- At the time of the application, the term of the prison sentence you still have to serve is more than six months.

N.B. Do you want to be transferred to the European part of the Netherlands? You must then show documentation that for at least three years you had your main residence in the Netherlands and have been registered in the Personal Records Database (BRP) of the Netherlands.

**Application and decision**

You or your lawyer can submit an application (application for transfer) to the Procurator General or the service designated by the Minister of Justice (and Security) of the country where the sentence was imposed on you. The Minister of Justice (and Security) of the requested country makes the ultimate decision.

The application must contain:

- Your name, signature and date
- The address of the institution where you are staying at that time
- A document showing that the sentence of the court is final and conclusive or the sentence itself
- The name of the country where you prefer to to serve the remainder of your sentence
- The reason why it is good for your resocialisation (a good return to society) to serve your sentence in that country
- Documentation showing that you have a main residence in the requested country

**What can I take along?**

You can only take basic necessities along. Your money will - if possible - be transferred via online banking to the institution where you are being transferred.

**More information**

Do you still have questions? You can contact the director of the institution where you are staying for more information.

This information sheet has been prepared with due care, but only contains a brief representation of the rules and conditions from the ORD III. No rights can be derived from this information sheet.