

APPENDIX

MAP I: MAP OF THE WORLD SHOWING LOCATIONS OF COUNTRIES WITHIN DIFFERENT FRAMEWORKS OF "PREVENTIVE DETENTION"

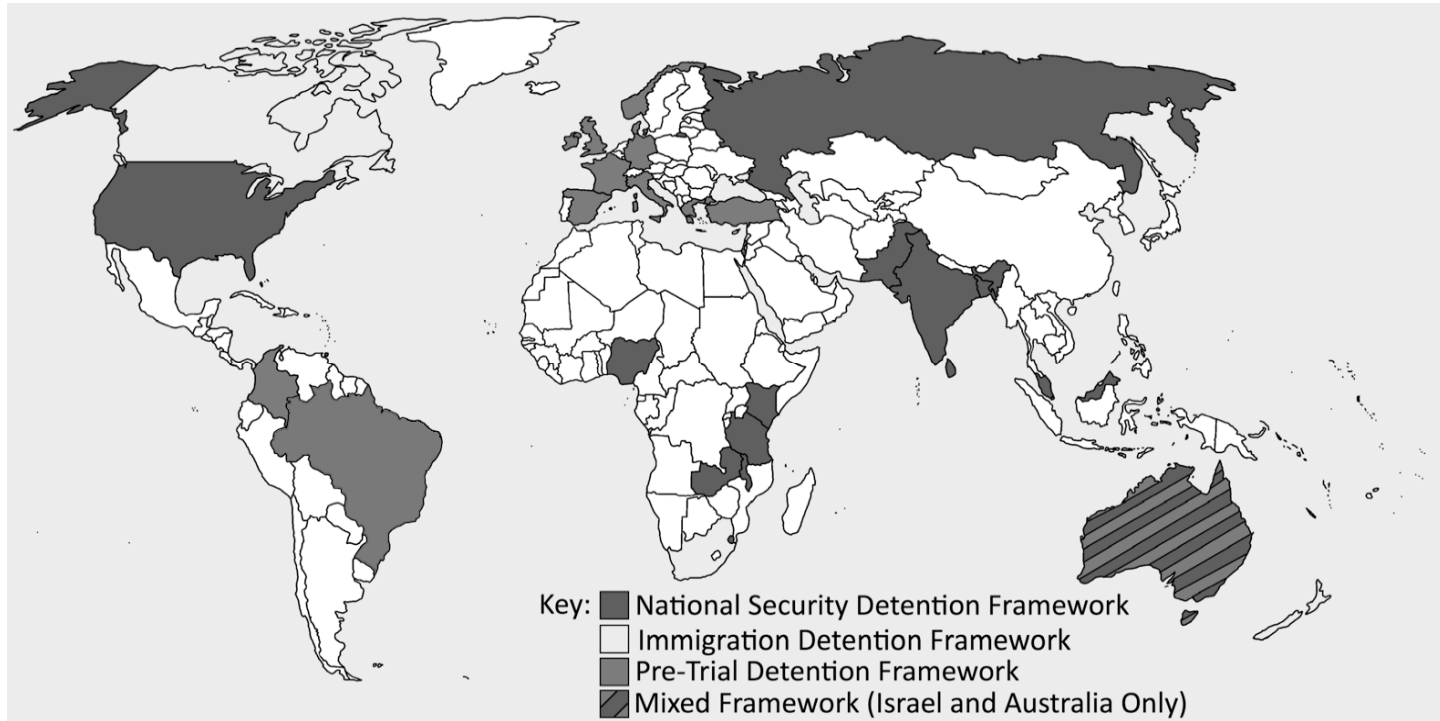


TABLE I: A TAXONOMY OF ‘PREVENTIVE DETENTION’*

Country	Legal Basis for Detention	Notification of Charges	Initial Appearance/ Review	Period of Detention without Charge or Trial	Access to Legal Counsel	Right to a Fair and Public Hearing	Judicial Review	Rules Regarding Interrogation
Australia	Anti-Terrorism Act (No. 2) 2005	“as soon as practicable”	Review by judge, federal magistrate, retired judge or ATT member within 24 hours (as individuals, not as members of the court)	Initial preventative detention order for 24 hours, may be extended upon review for 48 hours during investigation. Preventative detention of up to 14 days permitted (without questioning)	Right to counsel in relation to preventative detention order, but there are restrictions— e.g. counsel may not discuss with third parties (subject to certain exceptions) and PDOs are issued and continued <i>ex parte</i> by the detaining officer	Detainee may seek remedy from a federal court relating to the detention order-but this does not constitute a right to a hearing on the merits of the case, just the merits of the detention	Detainee may seek review of the order (not the merits of the case) from a federal court	Subdivision E 105.33 of the act stipulates humane treatment

* As explained *supra* note 46, this taxonomy builds upon that prepared by Steven Greer to compare the attributes of Commonwealth countries’ systems of public-security oriented administrative detention. Stephen Greer, *Preventive Detention and Public Security-Towards a General Model*, in Harding & Hatchard, *supra* note 7. The taxonomy adapts the categories identified by Greer as particularly relevant, and introduces new categories for further consideration. As explained *supra* note 46, this article owes a significant debt to Greer’s work, particularly with respect to his methodology for identifying and measuring the different attributes of differing detention regimes.

Bangladesh	Constitution, Art.141 A; Special Powers Act 1974	Within 15 days	Automatic and binding administrative review	Indefinite with the approval of Minister	No legal representation	Representations may be made to a Tribunal or "Advisory Board consisting of three persons, of whom two shall be persons who are, or have been, or are qualified to be appointed as, Judges of the Supreme Court and the other shall be a person who is a senior officer in the service of the Republic"	"Objective" judicial review "from the perspective of a reasonable person" of the advisory board's decision	UNCAT signatory, but no prohibition on torture or custodial abuse in domestic law. As of September 2009, bill pending before Parliament to outlaw torture and custodial abuse: the Torture and Custodial Death (Prohibition) Bill, 2009
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Brazil	Constitution (1988), Title II, art. 5, §§ XLIII, XLIX, LV, LXIII, LXXIV, LXXVII (provisions for arrest and detention of criminal suspects in general); art. 288, 306(2) of the Penal Code; Law 8.072, the Heinous Crimes Act of 1990	Within 24 hours of arrest a prisoner must be given a copy of the complaint, signed by an authority and containing not only the details of the charge or charges but also the names of accusers and witnesses	Detention usually permitted for up to 5 days before appearance before a judicial authority, but this may rise to 15 days if police suspect the detainee will flee. No bail permitted for terrorist suspect detainees	No maximum period for pretrial detention, determined on a case-by-case basis	Right to counsel, right to state-funded counsel for indigent detainees	In accordance with regular criminal procedure, instruction session and full hearing. Defendants have the right to confront and question witnesses, enjoy a presumption of innocence, and have a right to appeal	Right to “the adversary system and [a] full defense”; Right to <i>habeas corpus</i>	Constitutional guarantee that “prisoners are ensured of respect to their physical and moral integrity” National Committee for Prevention and Fight Against Torture in Brazil, signatory to Convention Against Torture and Other Cruel, Inhumane or Degrading Treatment or Penalties, but actions by individual police and penitentiary officers of grave concern
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Canada	Anti-Terrorism Act 2001; non-citizens may be detained following certification under Immigration and Refugee Protection Act s.77-85	Within 48 hours	IRPA: Federal Court reviews reasonableness of certificate within 48 hours, then reviewed every 6 months (can leave country any time)	No provision for indefinite administrative detention—detainee may apply for release from detention if not deported within 120 days	Right to counsel	Right to hearing before a fair and impartial immigration tribunal	Right to appeal tribunal decision to a Federal Court	Section 7 of Canadian Charter of Rights and Freedoms prohibits deportation to a country where the detainee would face torture
Colombia	Constitution art. 28, 29, 30, 31; Code of Criminal Procedure [2000] art. 357; Code of Criminal Procedure [2004] art. 308, 313	Within 36 hours	Review by specialized circuit criminal judges (<i>los jueces penales de circuito especializados</i>) within 36	Pre-charge detention limit of 36 hours. Constitutional prohibition on indefinite pre-trial detention, but prolonged pre-trial detention common	Right to counsel	Right of appeal through the specialized circuit court system, right to <i>habeas corpus</i>	Judicial review by specialized circuit criminal judges (<i>los jueces penales de circuito especializados</i>)	“the creation of special pavilions or wings [of prisons] where an even stricter than normal set of rules would be observed with respect to visitors, uniforms, outside communications, daily schedules, and physical layout”

Denmark	General Law on Administration of Justice	“as soon as possible”	Within 24 hours of arrest	Pre trial detention limit of 3 days in terrorist cases; may be detained for no longer than 7 days)	Right to state-funded appointed counsel	Right to hearing before lower City Court and appeal to High court	Mandatory review of detention of aliens by lower City Court within 3 days, option to appeal to High Court, automatic monthly review of detention	Art. 3 of the European Convention on Human Rights; Art. 2 of the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment
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France	Articles 421-1 et seq. of the Penal Code (as amended in Law 96-647 of 22 July 1996); Criminal Code of Procedure specifies most criminal rules apply in terrorist cases	Within a maximum of three days following the arrest	Judge must authorize detention of more than 48 hours; all terrorist related cases heard before special section of the Trial Court of Paris (created in 1986 to hear terrorist cases), for asylum seekers detention over 4 days must be authorized by <i>Tribunal de Grande Instance</i>	48 hours plus (with judicial approval) two further periods of 24 hours. Maximum of 6 days pre-charge detention Up to 2 years pre-trial detention for cases with a penalty of up to 10 years, up to 4 years pre-trial detention for cases with a penalty of over 10 years; border police may detain asylum seekers for 4 days, further detention must be authorized by <i>Tribunal de Grande Instance</i> – 20 days maximum	In criminal/terrorist cases, there is a right to counsel after 72 hours in detention. Counsel may not tell at third party about the case while the detainee is in custody; asylum seekers provided a court-appointed lawyer	Right to court hearings in front of specialized chamber of Trial Court of Paris specialized procedures used that depart from standard requirements for fair and public trials.	Judicial review and multiple levels of appeal	Art. 3 of the European Convention on Human Rights; Art. 2 of the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment
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<p>Germany</p>	<p>Law on Fighting Terrorism 2002 (<i>Terrorismus Bekämpfungsgesetz</i>); Additional Law on Fighting Terrorism 2007 (<i>Terrorismus bekämpfungsergänzungsgesetz</i>); Art. 112-130 Law of Criminal Procedure (StPO); Immigration Bill 2003; German Constitution <i>Grundgesetz</i> law (Art. 19, Abs. 4)</p>	<p>“No later than the day following the arrest”—i.e. up to 48 hours</p>	<p>Appearance before a judge by “the termination of the day following arrest”—i.e. usually 24, possibly up to 48 hours. Decision to detain is made by the civil section of an <i>Amtsgericht</i> (the lower district or local court)</p>	<p>Up to 18 months (depending upon the offense charged)</p>	<p>Right to counsel, but very limited government-funded legal aid (only indigent)</p>	<p>Appeal of <i>Amtsgericht</i> decision can be made within 2 weeks to the <i>Landgericht</i> (the district civil court) and then to the <i>Oberlandesgericht</i> (the regional civil court); review upon appeal is a substantive review of the merits of the case and new evidence may be presented</p>	<p>According to the Code of Criminal Procedure every act carried out by a public authority is subject to judicial review upon petition to the courts</p>	<p>Art. 3 of the European Convention on Human Rights; Art. 2 of the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment</p>
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Greece	Law 3251/2004, amending Law 2928/2001; Alien Law 2001; Martial Law Act <i>Delta Xi Theta</i> , of 1912 and Constitutional Act <i>Beta</i> 1967	Within 24 hours	Within 24 hours before a regular examining magistrate	18 months in “extraordinary circumstances” when the Council of the Court of Appeals has issued a “specifically reasoned decision”—ordinarily 12 months; in immigration proceedings there is a 15 days–3 months limit	Right to counsel and right to legal aid	Right to a hearing in the Court of Appeals before a three judge panel. As with other felony charges, no trial by jury	Review by Council of Judges of Appeal; Right of appeal of temporary imprisonment within 5 days to Council of the Court of Misdemeanors	Art. 3 of the European Convention on Human Rights; Art. 2 of the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment
India	Constitution, art. 22, 246; National Security Act, 1980, No. 65 of 1980, India Code, art. 3(4) (1980); Conservation of Foreign Exchange and Prevention of Smuggling Act, No. 52 of 1974; India A.I.R. Manual (1974), v. 7	“As soon as may be” within 15 days	“Advisory Board” review for preventive detention of more than three months	Terrorist suspects may be held in preventive detention for up to three months without any review, and for more than three months if the Advisory Board deems it appropriate	Right to counsel, but access frequently denied to terrorist suspects	Oral and documentary evidence and examination of witnesses allowed at administrative hearing	“Co-lateral” review by judiciary. Courts retain jurisdiction to review constitutionality of laws permitting preventive detention	Signatory to UNCAT; Human Rights NGOs concerned about torture of detainees, particularly in Jammu and Kashmir

Ireland	Criminal Justice (Terrorist Offences) Act 2005; Criminal Justice Act 1984, amended 1997	“As soon as practicable” generally upon arrest	Review by District Court Judge ‘as soon as practicable’	Pre-charge detention maximum is 3 days in terrorist cases, 7 days for “gangland-type offences”	Right to counsel; legal aid for indigents	Right to regular District Court hearing	Right of appeal to the High Court, including a right of habeas corpus	Art. 3 of the European Convention on Human Rights; Art. 2 of the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment
Israel	Emergency Powers (Detention) Law 1979; also Defense (Emergency) Regulations 1945	In Israel proper: within 48 hours; in Occupied Territories: within 8 days, although specific basis of accusation may only be given to presiding judge who reviews the detention order	In Israel proper: within 48 hours. In the Occupied Territories: within 8 days	Initial order valid for 6 months, renewable every 6 months thereafter (indefinitely)	Right to counsel, but practical exercise of that right severely limited	Detainee must be present in court; all administrative detention hearings held in camera, restrictions on detainee’s right to confront his accuser, no right to examine information on which detention order is based	Review of record by District Court 3 months after initial confirmation of order and every 3 months thereafter	Supreme Court ruling prohibiting use of violence or torture in 1999, but continued reports of mistreatment of detainees

Italy	Law 438/2001 Urgent Measures Against International Terrorism, Article 270 of the Penal Code. Law 155/2005	As soon as possible, and within 96 hours/4 days at the latest	Review by magistrate within 96 hours/4 days	Maximum 4 days pre-charge detention; maximum pretrial detention of up to 24 months during an investigation into a terrorist attack	Right to prompt and regular access to counsel of choice and right to legal aid for indigent detainees	Right to a fair hearing under art 6.1 of the ECHR	Right of appeal	Art. 3 of the European Convention on Human Rights; Art. 2 of the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment
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Kenya	Constitution, s.83; Preservation of Public Security Act (1960)	Within 5 days	Automatic and not binding administrative review within one month of detention	Indefinite, with review by the administrative tribunal every 6 months	“reasonable facilities to consult a legal representative” of the detainee’s own choice, but no right to legal aid	Administrative review on a 6 monthly basis	Very limited. No right to review of the grounds of detention by the courts, but potential to appeal to High Court if constitutionally guaranteed conditions of confinement or process contravened	Constitution prohibits torture, but allegations of frequent use of violence and torture during interrogations
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Malaysia	Constitution, Art.151; Internal Public Security Act 1960	As soon as possible, including allegations of fact (although the government may withhold some facts should their disclosure “be against the national interest”)	Administrative review by an advisory board within three months of receipt of detainee’s representation or longer if so specified by the head of state	2 years (when detention authorized by the President) with possible renewal every 2 years thereafter	Uncertain—constitutional right to counsel in criminal cases, but no indication of provision of counsel to individuals held in preventive detention	Only right to review by advisory board	Limited to procedural issues, in 2003 Federal Court ruled courts should not intervene in cases of preventive detention under the Internal Public Security Act	No law specifically prohibiting torture, but laws prohibiting “committing grievous hurt” encompass torture
Mozambique	Constitution of the Republic of Mozambique art. 64	“promptly”	Initial appearance before a criminal investigative judge (<i>juiz da instrução criminal</i>) “within a time period fixed by law”	Up to 90 days	Uncertain—right to “legal assistance and aid” criminal cases, but no indication of provision of counsel to individuals held in preventive detention	Only hearing before criminal investigative judge on validity of detention	Review by criminal investigative judge (<i>juiz da instrução criminal</i>)	Signatory of UNCAT; a few reports of death resulting from police torture

New Zealand	Terrorism Suppression Act 2002, Immigration Act 1987, amended 1999, amended 2002 (suspected terrorists covered in s.73(1))	“at the time of the arrest or detention”	Within 48 hours	Up to 28 days without review, then review by District Judge every 7 days (theoretically possible to continue this indefinitely)	In immigration proceedings right to counsel, but no legal aid	In immigration proceedings review by District Judge of detention every 7 days	Review by District Court, and appeal possible up to the Supreme Court	Signatory to ICCPR, condemns ill treatment of detainees
Nigeria	State Security (Detention of Persons) Act, (1983) Cap. 414, s. 1 (Nig.); State Security (Detention of Persons) Amended Decree no. 14 (1994)	Within 24 hours of “the facts and grounds”	Review by Detention of Persons Review Panel within 6 weeks	6 weeks, subject to ongoing review	Uncertain—right to counsel and to legal aid in serious criminal cases, but no indication of provision of counsel to individuals held in preventive detention	Review by the Detention of Persons Review Panel, no public hearing	Act forbids judicial review of actions taken under its provisions. Panel’s recommendations are non-binding on executive	Constitution and laws prohibit torture, but credible reports of custodial abuse

Norway	Penal Code, amended 2002 (original Penal Code 1902)	Within 3 days	Review by the District Court within 3 days	48 hours without judicial review (3 days in terrorist cases) thereafter extendable by blocks of weeks	Right to counsel including court-appointed lawyers	Right of fair and public hearing, including appeal, in regular courts	Right of appeal to Court of Appeal	Art. 3 of the European Convention on Human Rights; Art. 2 of the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment
Pakistan	Constitution of Pakistan, (1973) art. 10 (3)	Within 15 days	Automatic and binding	8 or 12 months in any period of 24 months, successive detention in 3 month increments subject to review board approval	Right to counsel	Review by administrative review board, no public trial	Detaining authority is not required to comply with board's recommendations; judiciary retains jurisdiction to review constitutionality of laws permitting preventive detention	UNCAT signatory; reports of torture and other custodial abuse; coerced confessions admissible in court

Russian Federation	Federal Law on Counteracting Terrorism 2006; Federal Law on Combating Terrorism 1998; Federal Law Amending Criminal Procedure Code 2004	Terrorist suspects can be held for up to 30 days without formal disclosure of charges. Written copy of indictment provided prior to trial if case is brought to trial	Within 48 hours, with a possible 3 day extension at the court's discretion	Up to 5 days during the initial investigation, up to 30 days without formal disclosure of charges	Right to meet with an attorney for two hours prior to interrogation; in theory, right to free legal counsel for indigent although often ignored in practice	Allows prosecution <i>in absentia</i> . Terrorism trials heard by three-judge panels not juries	Court hearing for individuals held under criminal code in front of three judge panel. No formal procedure for reviewing detentions that fall under the Administrative code	Torture prohibited in the constitution, credible reports that law enforcement personnel engaged in torture abuse and violence to coerce confessions
Singapore	Internal Security Act 1960; the Criminal Law (Temporary Provisions) Act (CLA)	'As soon as may be'—there is a right to know what the charges are	Administrative review available upon detainee's request; not binding	2 years (when detention authorized by the President) with possible renewal every 2 years thereafter; 30 days (police Minister must receive report after 14 days)	Uncertain—constitutional right to counsel in criminal cases, but no indication of provision of counsel to individuals held in preventive detention	No right to challenge the substantive basis for detention through the courts	Limited to procedural issues	Prohibition on torture generally respected by government

South Africa	Protection of Constitutional Democracy Against Terrorist and Related Activities 2004, Act 33; The Refugees Act of 1998 art. 29	48 hours after arrest or at the end of the first court day after the expiry of the 48 hours if the 48 hours expire outside ordinary court hours or on a day which is not an ordinary court day	48 hours after arrest or at the end of the first court day after the expiry of the 48 hours if the 48 hours expire outside ordinary court hours or on a day which is not an ordinary court day	48 hours pre-charge Refugees Act provides no person may be detained for a period longer than is “reasonable and justifiable.” Any detention over 30 days has automatic review by High Court judge	Right to counsel, but in immigration government-funded legal aid limited	Review of immigration cases conducted by judge in chambers, rather than open court	Under the Refugees Act, any detention over 30 days must be reviewed by the High Court, automatic review every 30 days	Constitutional prohibition on torture
Spain	Penal Code and Law of Criminal Procedure	By time of first judicial review (i.e. 72 hours)	All terrorist cases heard at the National High Court (<i>Audiencia Nacional</i>), investigating magistrate is an officer of that Court. High Court Magistrate must review detention within 72 hours	Initial pre-trial Max detention period- Initial incommunicado order valid for 72 hours following arrest, may be extended by two day increments on review by magistrate, up to 13 days maximum. After charging, maximum pretrial detention period 2 x 2 years (i.e. 4 years) if offense warrants detention of 3+	If an incommunicado order is issued, a duty solicitor is appointed, not a lawyer of the detainee’s choice. After end of incommunicado period, lawyer of choice	When incommunicado order issued, all other rights, including <i>amparo/ habeas corpus</i> still apply	Review by National High Court, including <i>amparo/ habeas corpus</i>	Art. 15 of the Spanish Constitution; Art. 3 of the European Convention on Human Rights; Art. 2 of the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment

				years. Preventative arrest limit for handing over to judicial authorities is 5 days				
Sri Lanka	Prevention of Terrorism (Temporary Provisions) Act 1979; Public Security Ordinance under State of Emergency	Right to be informed at Administrative hearing (if hearing requested)	Administrative review available upon detainee's request; not binding and not for members of proscribed organizations	Indefinite detention permissible with ministerial authorization (under state of emergency) but must be renewed monthly by minister	Uncertain—right to legal representation in criminal cases, but no indication of provision of counsel to individuals held in preventive detention	Review by administrative tribunal, no public trial	Limited by statute	Torture punishable by mandatory minimum of 7 years imprisonment. Nonetheless, torture widely practiced.
Swaziland	Detention Order 1978, Suppression of Terrorism Act 2008 art. 23	Under 1978 law Published in the Government <i>Gazette</i>	Under 1978 law: Administrative review available upon request of detainee or family member; not binding	Under 1978 law: 60 days, renewable for unlimited further 60 day periods; under 2008 law: up to 7 days	Under 2008 law: right to retain and instruct counsel during detentive questioning	Under 1978 Act: no provision for public hearing, only administrative review	Very limited	Constitutional prohibition on torture in “policy section” and therefore unenforceable in any court or tribunal. Reports of government officials using torture

Tanzania	Preventative Detention Act 1962; Deportation Ordinance 1921; Expulsion of Undesired Persons Ordinance 1930	Formal entitlement to release if not informed of grounds for arrest within 15 days	Automatic Administrative review after 3 months; not binding	Indefinite	Uncertain—right to contact a lawyer in criminal cases, but no indication of provision of counsel to individuals held in preventive detention	Administrative review undertaken in camera, board members have the right to interview detainees	Very limited	The constitution and the law prohibit torture and cruel practices, but beatings common
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Trinidad & Tobago	Constitution, s.7, 11	Grounds must be cited in detention order	Administrative review by “an independent and impartial tribunal established by law and presided over by a person appointed by the Chief Justice from among the persons entitled to practice in Trinidad & Tobago as barristers or solicitors” available upon detainee’s request; then every 6 months. Tribunals recommendations not binding on detaining authority	Indefinite upon ministerial authorization	Uncertain—right to counsel and to legal aid in serious criminal cases, but no indication of provision of counsel to individuals held in preventive detention	Administrative review board not public trial	Tribunal is appointed by the chief justice, and judiciary has established its jurisdiction to review constitutionality of laws permitting preventive detention	Constitution and laws prohibit torture, but credible reports of custodial abuse
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<p>Turkey</p>	<p>Law 3713 of 1991, "Law To Fight Terrorism"; as amended by Law 5532 of 2006, and Law 5237 of 2004, Turkish Criminal Procedure Code of 2005 (revised)</p>	<p>"Individuals arrested or detained shall be promptly notified, and in all cases in writing, or orally, when the former is not possible, of the grounds for their arrest or detention and the charges against them; in cases of offences committed collectively this notification shall be made, at the latest, before the individual is brought before a judge"</p>	<p>Judicial review within 48 hours of arrest for detainees arrested individually, within 4 days in cases involving three or more suspects, within 7 days in regions where State of Emergency in force (plus up to 12 hours transportation time in all cases) Accused and family have right of appeal to court during this process</p>	<p>Maximum duration of post-arrest, pre-conviction detention of two years, or three years "if necessary, by means of a reasoned decision"</p>	<p>Immediate access to an attorney and right to meet with an attorney at any time, but at prosecutorial discretion, there may be 24 hour in-communicado period. If lawyer suspected of "liaison" with terrorist organization, police officer to be present during meetings. Detainee may only have one lawyer</p>	<p>Closed hearings permissible "in the interests of public morality and public security"</p>	<p>Right of appeal to court during initial pre-charge detention. Cases in front of "Serious Crimes Courts" (<i>ağır ceza mahkemeleri</i>)</p>	<p>The law prohibits the use of evidence in court obtained by torture; however, prosecutors in some instances failed to pursue torture allegations</p>
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United Kingdom	Terrorism Act 2000, amended by Terrorism Act 2006 and Anti-Terrorism Crime and Security Act 2001; Prevention of Terrorism Act of 2005, repealing Part IV of Anti-Terrorism, Crime, and Security Act of 2001	“as soon as practicable”	Judicial review within 48 hours of arrest; no right to indefinite preventative detention—replaced with “control orders” (extensive debate in parliament banned earlier provision)	Maximum 28 days without charges	Right to counsel (court-appointed if necessary)	Provision for <i>in camera</i> hearings and special, security-cleared counsel to hear terrorism-related cases	Appeals to Court of Appeals and the Supreme Court	Art. 3 of the European Convention on Human Rights; Art. 2 of the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment
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United States	PATRIOT ACT 8 U.S.C. § 1226(a)(5); Com-missions Act 2006 § 3, Pub. L. No. 109-366, 120 Stat. 2600, 2601-02 (codified at 10 U.S.C. § 948a); 8 C.F.R. § 287.3(d) (2001); 4 th Amendment	MCA: Not required	Patriot Act: certification by AG every 6 months, renewable indefinitely; MCA: Combat Status Review Tribunal (CSRT) review; Fourth Amendment: right to appear before judicial officer within 48 hours	Patriot Act: 7 days for criminal charges or removal proceedings, if detainee deportable up to 6 months, then renewable every 6 months; MCA: Indefinite incommunicado detention permitted	Patriot Act: no explicit right to counsel; MCA: No right to counsel during CSRT process	MCA: no right to public hearing, nor right to access 'classified' information, including specifics of charges against detainees	Right to <i>habeas</i> petition under Boumediene v. Bush	MCA: Bybee memo 'balancing test' for torture, inhumane treatment of Guantánamo detainees
Zambia	Preservation of Public Security Act	Within 14 days	Administrative review available upon detainee's request; not binding	Indefinite	Right to legal representation in front of Administrative Tribunal	Review by Administrative Tribunal, not public hearing	Review by courts of administrative tribunal findings	Constitution prohibits torture, but frequently used by police as an interrogation technique