

Review

by the foreign scientific consultant on the dissertation research by Halibiyati Halibati, doctoral student at the Faculty of Law, Al-Farabi Kazakh National University, on the topic: "Problems of legal liability of juveniles for offenses in the sphere of informatization and communication," presented for the degree of Doctor of Philosophy (PhD) in the specialty 8D04203 - "Jurisprudence."

The presented dissertation research is devoted to one of the pressing issues in the field of legal regulation of minors' liability under the conditions of digital transformation. The legal regime governing relations in the sphere of information and communication technologies, along with all the legal aspects related to their use and protection, affects the interests of the state, of minors, of their legal representatives, of online platforms, and of other interested parties, which is characteristic of all countries. Solving this problem will allow for the development of unified approaches in legal practice, especially in the qualification of digital delicts and the formation of criminal-legal policy with regard to minors, and will help to streamline the conceptual framework of the legal institution under consideration. Additionally, the study of these issues will contribute to the improvement of legislation and the activities of state bodies involved in the mechanisms of protecting the information-psychological security of minors and regulating their legal status in the digital environment.

The results of Halibiyati Halibati's dissertation research meet the requirements for dissertations submitted for the degree of Doctor of Philosophy (PhD). New and reliable scientific results were obtained during the study, achieving the goals and objectives of the research. The following scientific results were obtained:

- The concept and characteristics of legal relations in the field of informatisation and communication were revealed;
- The objects and subjects of legal relations within the sphere of minors' participation in ICT-related legal relations were identified;
- The three independent role statuses of a minor - as victim, offender, and instrument - were investigated as a special legal category;
- The information-psychological security of minors was substantiated as an independent object of criminal-legal protection;
- The category of digital maturity was introduced as an independent procedural assessment subject, and its neuropsychological foundations were empirically substantiated on the basis of the Add Health longitudinal dataset;
- The features of the institution of liability of minors for offences in the field of ICT under the Criminal Code and the Code of Administrative Offences of the Republic of Kazakhstan were comprehensively studied;
- A comparative legal analysis of the legislation of the CIS countries, the Baltic States, and the People's Republic of China was conducted;
- The institutions of digital delicts, restorative digital justice, counterpart obligations, and differentiated reception were introduced as independent doctrinal foundations;
- The three-fold legal regime of a minor's participation in a crime under conditions of artificial intelligence - as an independent aggravating instrument of crime, as a qualifying feature of complicity, and as an algorithm of psychic compulsion - was substantiated;
- The tripartite institutional-legal model "State - Platform - Legal Representative" was proposed as the doctrinal foundation of the digital security of children;

- A comprehensive institutional-normative architecture for the prevention of offences by minors in the field of ICT - as an author's model consisting of four mutually coordinated pillars (regulatory-platform, institutional-subject, reactive-educational, and systematising-codification) - was developed;
- Specific legislative proposals were elaborated for amendments to the Criminal Code of the Republic of Kazakhstan, the Code of Administrative Offences, and to the Laws "On the Rights of the Child in the Republic of Kazakhstan," "On Personal Data and Their Protection," "On the Protection of Children from Information Harmful to Their Health and Development," and "On Online Platforms and Online Advertising."

The author's conclusions represent a worthy continuation of scientific research in the field of ICT law. The proposals and recommendations put forward by the author can serve as a methodological guide for improving the legislation of the Republic of Kazakhstan and constitute a doctrinal basis for the national implementation of the United Nations Convention against the Use of Information and Communication Technologies for Criminal Purposes, adopted by General Assembly resolution A/RES/79/243 of 24 December 2024.

The main provisions and conclusions of the research are reflected in scientific articles published in foreign and national scientific journals, including those recommended by the Committee for Control in the field of Education and Science of the Ministry of Education and Science of the Republic of Kazakhstan, in materials from international scientific and practical conferences, as well as in journals included in the international database of Scopus - including the article co-authored by the dissertation candidate Halibiyati H., Aratuly K., Serikhan A., Yergali A.M., Beaver K.M. "Neuropsychological Functioning and Its Association with Juvenile Arrest and Adulthood Incarceration" (Journal of Criminal Justice, 2024, Vol. 91, Article 102153, Scopus Q1, IF 4.3), and the article by Kubanova N., Nessipbayeva I., Dyussebalieva S., Halibati H., Adilgazy S. "Countering cyber attacks in the Republic of Kazakhstan" (Social & Legal Studies, 2025, Vol. 8, No. 1, Scopus).

Based on the above, I believe that Halibiyati Halibati's dissertation on the topic: "Problems of legal liability of juveniles for offenses in the sphere of informatization and communication" represents an independent, complete scientific study conducted at a high scientific-theoretical level. It is distinguished by its relevance, novelty, and practical orientation, and is recommended for public defense.

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