

Official review of the dissertation work by Halibiyati Halibati titled “Problems of legal liability of juveniles for offenses in the sphere of informatization and communication”, submitted for the degree of Doctor of Philosophy (PhD) under the educational program “8D04203 - Jurisprudence”

WRITTEN REVIEW OF THE REVIEWER

No.	Criteria	Compliance with the criteria (cross out one of the answer options)	Justification of the official reviewer's position (comments should be indicated in italics)
1.	Correspondence of the dissertation topic, as of the date of approval, to the directions of scientific development and/or state programs	1.1 Compliance with the priority directions of scientific development and/or state programs: 1) The dissertation was carried out within the framework of a project or targeted program funded from the state budget (indicate the name and number of the project or program); 2) The dissertation was carried out within the framework of another state program (indicate the name of the program); 3) <u>The dissertation corresponds to a priority direction of scientific development approved by the Higher Scientific and Technical Commission under the Government of the Republic of Kazakhstan (indicate the direction).</u>	This dissertation addresses complex issues in the legal dimension of national digital policy. The subject of the research corresponds to the objectives of current Kazakhstani state strategies: the Concept for the Development of Artificial Intelligence approved by the President of the Republic of Kazakhstan on September 24, 2024, the document on digital transformation adopted by Government Resolution No. 269 of 2023, and the “Cyber Shield of Kazakhstan” Concept approved by Resolution No. 407 of 2017. It may therefore be concluded that the research is organically integrated into the overall architecture of Kazakhstan's digital legal space.
2.	Significance for science	The work <u>makes</u> a significant contribution to science, and its significance <u>has been</u> disclosed.	The dissertation makes a <u>substantial contribution</u> to the legal science. Halibiyati H. offers domestic legal doctrine not only new concepts, but also an integral conceptual system that

			forms the information and psychological security of juveniles as a theoretical foundation. From the standpoint of traditional Kazakhstani legal science, which conceptualizes social phenomena through legal language, this work opens a new direction in the development of criminal and administrative law doctrine in line with the requirements of the modern digital era. In this respect, the research results are a clear example of domestic civilization and traditional legal thought responding to modern needs.
3.	Principle of independent authorship	Level of independent authorship: 1) <u>high</u> ; 2) medium; 3) low; 4) not written independently.	The work reflects the author's independent research conducted at the <u>highest</u> academic level. The applicant clearly demonstrates the independence of their scientific thinking in several ways: first, the dissertation text clearly shows the ability to form an independent conceptual apparatus; second, the co-authored publication in an internationally ranked scientific journal (Journal of Criminal Justice, Scopus Q1) confirms the authors independent research potential at the international level; third, the ability to express a clear position on the doctrinal issues considered is a sign of scientific maturity.
4.	Principle of internal unity	4.1 Justification of the relevance of the dissertation:	The dissertation topic is both relevant

		1) <u>justified;</u>	and well- <u>justified</u> . In the reviewed dissertation, the relevance of the research topic is substantiated and disclosed from three perspectives. First, the social dimension concerns the child's vulnerability in digital space, the weakness of responsibility among adults, and the tendency of Kazakhstani family solidarity to change in the digital era. Second, the legal dimension concerns the insufficiency of the current legislative framework and the absence of special legal mechanisms. Third, the international dimension concerns the need to implement obligations under the UN Convention on the Rights of the Child. All three dimensions are developed consistently in the dissertation.
		2) partially justified;	
		3) not justified.	
		4.2 The content of the dissertation reveals the dissertation topic:	The substantive scope of the dissertation fully <u>reflects</u> the semantic meaning embedded in its title, as the issues examined in the study correspond closely to the conceptual framework and research direction indicated by the topic. In particular, the author understands the category of "liability" in a broad sense, as a multifaceted complex of criminal, administrative, and civil law liability, which fully corresponds to the principle of comprehensiveness
		1) <u>Reflects</u>	
		2) partially reveals;	
		3) does not reveal.	

		characteristic of Kazakhstani legal science.
	4.3. The aim and objectives correspond to the dissertation topic:	In this work, an organic continuity is maintained between the research aim and the specific objectives, as the objectives <u>correspond</u> logically to the overall aim and substantively support its realization throughout the dissertation. Each objective follows logically from the aim, and each research result appears as a natural continuation of the assigned objective. This demonstrates a high level of research culture in the work.
	1) <u>correspond;</u>	
	2) partially correspond;	
	3) do not correspond.	
	4.4. All sections and provisions of the dissertation are logically connected:	In the reviewed dissertation, the four chapters are <u>fully interconnected</u> , as they logically complement one another and collectively form a coherent and unified research architecture. The structure of the work, from theoretical foundations to analysis of current law, then to international experience and, finally, to the authors concept, represents a natural path of academic development.
	1) <u>fully interconnected;</u>	
	2) partially connected;	
	3) no connection.	
	4.5 The new solutions proposed by the author (principles, methods) have been substantiated and evaluated in comparison with previously known solutions:	In the reviewed dissertation, there is a <u>critical analysis</u> , reflected in the author's consistent discussion of previously known scientific positions and their comparison with the author's own conclusions. In particular, the adaptation of traditional views in the works of domestic scholars to current
	1) <u>there is a critical analysis;</u>	
	2) analysis has been conducted partially;	
	3) the analysis is based not on the authors own opinion but on references to other authors;	

		4) no analysis.	digital reality is a clear manifestation of the principle of continuity characteristic of Kazakhstani legal science.
5.	Principle of scientific novelty	5.1 Are the scientific results and provisions new?	All findings in the thesis are <u>completely new</u> . The categories proposed by the applicant, digital delict, digital maturity, restorative digital justice, counterpart obligations, and differentiated reception, had not previously been formulated in this way in domestic legal thought, and their entry into the discourse marks the beginning of a new stage in the development of national legal doctrine.
		1) <u>completely new</u> ;	
		2) partially new (25-75% new);	
		3) not new (less than 25% new).	
		5.2 Are the conclusions of the dissertation new?	Completely new. The conclusions in this work form a unified line of development that shows the path from scientific thought to practical legislative technique, moving from theoretical conclusions to specific proposed norms in domestic law enforcement practice. This clearly demonstrates both the academic and practical significance of the dissertation.
		1) <u>completely new</u> ;	
		2) partially new (25-75% new);	
		3) not new (less than 25% new).	
		5.3 Are the technical, technological, economic, or managerial solutions new and substantiated?	The technical, technological, economic, or managerial solutions presented in the dissertation are <u>completely new</u> and sufficiently substantiated, reflecting the author's independent scientific approach and
		1) <u>completely new</u> ;	
		2) partially new (25-75% new);	
		3) not new (less than 25% new).	

			the originality of the conclusions reached in the study. The proposed solutions are aimed at introducing new institutional and legal structures into domestic legislation, including the Criminal Code, the Criminal Procedure Code, the Code of Administrative Offenses, the Law "On the Rights of the Child in the Republic of Kazakhstan," and the Law "On Personal Data and Their Protection"; each of them has been thoroughly developed from the standpoint of legislative technique.
6.	Validity of the main conclusions	All main conclusions <u>are</u> /are not scientifically based on extensive evidence (for qualitative research and training areas in the arts and humanities).	All conclusions <u>are based</u> on a comprehensive and complex evidentiary foundation. The methodological basis of the research corresponds to the principle of comprehensiveness characteristic of the Kazakhstani legal tradition: international legal standards, the national legislative framework, domestic statistics, and domestic and foreign scholarly literature are presented systematically and in mutual harmony.
7.	Main provisions submitted for defense	For each provision, the following questions must be answered separately: 7.1 Is the provision substantiated? 1) <u>substantiated</u> ; 2) approximately substantiated; 3) approximately not substantiated;	Statement 1: The main essence of the first statement under review is the need to elevate the mental, emotional, and moral integrity of a juvenile in the digital environment to the level of an independent object of

	4) not substantiated;	state criminal law protection. This is a logical conclusion arising from the principle, characteristic of our domestic legal tradition, of recognizing the child as the future of society and as a subject requiring special protection. The proposed legislative solution, supplementing Chapter 7 of the Criminal Code of the Republic of Kazakhstan with Section 7-1 (Article 213-1), corresponds to the structural development logic of the domestic criminal code and is a natural continuation of the national implementation of our international obligations to protect children from digital threats (UN Convention on the Rights of the Child, CRC/C/GC/25). 7.1 <u>substantiated</u> 7.2 <u>no</u> 7.3 <u>yes</u> 7.4 <u>broad</u> 7.5 <u>yes</u> Statement 2: The concept of digital maturity raised in the second statement means the child's ability to consciously understand the legal nature of their actions in digital space. Relying on longitudinal data (Add Health, n = 20,745) from a co-authored study published in an internationally ranked
	5) it is not possible to verify the substantiation of the provision in this statement.	
	7.2 Is it trivial?	
	1) yes;	
	2) <u>no</u> ;	
	3) it is not possible to verify whether the provision is trivial in this statement.	
	7.3 Is it new?	
	1) <u>yes</u> ;	
	2) no;	
	3) it is not possible to verify the novelty of the provision in this statement.	
	7.4 Scope of application:	
	1) narrow;	
	2) medium;	
	3) <u>broad</u>	
	4) it is not possible to verify the scope of application of the provision in this statement.	
	7.5 Is it substantiated in the article?	
	1) <u>yes</u> ;	
	2) no	
	3) it is not possible to verify the substantiation of the provision in the article in this statement.	

		scientific journal (Journal of Criminal Justice, 2024, Scopus Q1), the applicant laid the foundation for introducing the concept of psychological maturity into law enforcement practice. This is a significant step in the development of our Kazakhstani criminal law doctrine toward the special protection of childrens rights. The proposed norms, supplementing Article 80 of the Criminal Code of the Republic of Kazakhstan and transforming Article 271 of the Criminal Procedure Code into a mandatory procedural mechanism for neuropsychological examination, serve to improve the quality of protection of childrens rights in judicial proceedings. <u>7.1 substantiated</u> <u>7.2 no</u> <u>7.3 yes</u> <u>7.4 broad</u> <u>7.5 yes</u> Statement 3: The third statement is devoted to ensuring conceptual consistency in the legal definitions of violence in the digital environment and in the protection of childrens personal data. The applicant determined that the definition of "child harassment
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		(bullying)" in the Law "On the Rights of the Child in the Republic of Kazakhstan" does not cover the specific semantic features of the digital environment, especially anonymous subjects and viral dissemination capabilities. In this regard, introducing the concepts of "cyberbullying," "digital aggression," and "profiling of children" into legislation is a natural continuation of developing domestic legislation in accordance with international standards for the effective protection of childrens rights. <u>7.1 substantiated</u> <u>7.2 no</u> <u>7.3 yes</u> <u>7.4 broad</u> <u>7.5 yes</u> Statement 4: In the fourth statement, the institution of digital delicts is presented as an independent doctrinal category with historical justification. The concept of digital delict proposed by the applicant is a category not previously formulated in Kazakhstani legal thought, and the three role statuses of a juvenile (victim, offender, instrument) constitute a genuinely comprehensive analysis that takes into
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		account all aspects of childrens legal status in digital space. The legislative proposals, supplementing Article 84 of the Criminal Code with digital education measures, Article 79 with a digital forgetting procedure, and improving Articles 65 and 57 of the Code of Administrative Offenses, are consistent with the humanization trend in Kazakhstani legal policy. In particular, the comments concerning the procedure for collecting fines from parents under part 1 of Article 65 of the Code of Administrative Offenses are important for preserving the individualized nature of educational influence. <u>7.1 substantiated</u> <u>7.2 no</u> <u>7.3 yes</u> <u>7.4 broad</u> <u>7.5 ves</u> Statement 5: The fifth statement is presented as a comprehensive methodological concept combining digital maturity and the state of artificial intelligence. The applicant has achieved an organic integration of two theoretical foundations: first, the childs ability to understand digital actions, and second, the legal-relational role of artificial
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		intelligence and synthetic algorithms. The international basis of the concept, the European Unions Regulation 2024/1689 on artificial intelligence and the PRCs 2023 measures on regulating generative artificial intelligence services, opens the possibility of adapting them into our national doctrine according to the principle of differentiated reception. <u>7.1 substantiated</u> <u>7.2 no</u> <u>7.3 yes</u> <u>7.4 broad</u> <u>7.5 yes</u> Statement 6: The sixth statement substantiates the need to establish a three-dimensional legal regime for complicity in crime under conditions of artificial intelligence. This is a necessary step for legally defining situations in which adults unlawfully influence a juvenile through technically complex algorithms. Supplementing the traditional Kazakhstani criminal law theory of complicity with the status of artificial intelligence and synthetic algorithms as instruments is a genuine theoretical novelty corresponding to the context of modern technological development. Expanding Article 210
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		of the Criminal Code of the Republic of Kazakhstan within the framework of UN Convention A/RES/79/243 is a consistent indicator of the national fulfillment of our international obligations. <u>7.1 substantiated</u> <u>7.2 no</u> <u>7.3 yes</u> <u>7.4 broad</u> <u>7.5 yes</u> Statement 7: The seventh statement is the deepest conclusion aligning the issue of childrens digital security with family law. The tripartite model “State - Platform - Legal Representative” is a theoretical foundation for adapting parents legal and ethical duties toward the child to the digital era. The institution of “counterpart obligations” proposed by the applicant is an organic structure that forms a system of mutual obligations between public-law and private-law subjects. Data from UNICEFs 2024 study (only 38% parental awareness) indicate the need to adapt parental duties in the Marriage (Matrimony) and Family Code of the Republic of Kazakhstan to the digital context. Establishing the institutions of a cyber squad and
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		digital ombudsman is a necessary mechanism for expanding the institutional system for protecting childrens rights. <u>7.1 substantiated</u> <u>7.2 no</u> <u>7.3 yes</u> <u>7.4 broad</u> <u>7.5 yes</u> Statement 8: The eighth statement is an integrative solution that unites the preceding Statements 1-7 into a single institutional and normative architecture. The four pillars of the architecture, regulatory-platform, institutional-subject, response-educational, and systematization-codification, are a model for transferring the principle of comprehensiveness in Kazakhstani legal culture into the context of the digital era. The architecture forms a structural mechanism for institutional implementation of the principle of the priority of prevention over sanctions in the Law of the Republic of Kazakhstan "On the Prevention of Offenses" dated December 30, 2025, which is a manifestation of the preventive and educational orientation of the domestic legal tradition in the
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			digital era. <u>7.1 substantiated</u> <u>7.2 no</u> <u>7.3 yes</u> <u>7.4 broad</u> <u>7.5 yes</u>
8.	Principle of reliability.	8.1 The choice of methodology is justified or the methodology is clearly described:	<u>Yes.</u> The methodological complex used by the applicant organically combines general scientific methods (dialectical, systemic-structural, historical, formal-logical) and special legal methods (comparative legal, normative-dogmatic, statistical, content analysis), in line with the best examples of the Kazakhstani legal tradition.
	Reliability of sources and submitted information	1) <u>yes</u> ;	
		2) no.	<u>Yes.</u> In this work, modern information and research methods were used for comprehensive analysis of domestic and international databases, which was an important factor enabling the dissertation to reach an internationally ranked level.
		8.2 The results of the dissertation were obtained using modern methods of scientific research and methods of data processing and interpretation with the use of computer technologies:	
		1) <u>yes</u> ;	
		2) no.	
		8.3 Theoretical conclusions, models, identified interrelations, and patterns are substantiated and confirmed by experimental studies (for training areas in pedagogical sciences, results are substantiated on the basis of a pedagogical experiment):	
		1) <u>yes</u> ;	
		2) no.	<u>Yes.</u> The theoretical conclusions developed in the work, especially the concept of digital maturity, are firmly confirmed by empirical data from the Add Health longitudinal dataset (n = 20,745). The inclusion of such a large-scale empirical foundation in Kazakhstani legal doctrine is an advanced practice for domestic legal

		8.4 Important statements are <u>confirmed</u> / partially confirmed / not confirmed by references to specific and reliable scientific literature.	science. Confirmed. The important statements in the research are substantiated by a consistent bibliographic apparatus, including precise references to international scientific publications, UN documents, Council of Europe recommendations, domestic scholarly works, and regulatory legal acts of the Republic of Kazakhstan.
		8.5 The list of references used <u>is sufficient</u> /insufficient for the literature review.	Sufficient. The list of references covers a broad chronological and thematic range, from classic works by Kazakhstani and foreign scholars to modern international documents.
9	Principle of practical value	9.1 The theoretical significance of the dissertation:	Present. The theoretical significance of the reviewed work lies in introducing new conceptual categories into domestic criminal, administrative, and childrens law doctrine. The research makes a significant contribution to the development of Kazakhstani digital law theory, to adapting family law doctrine to digital conditions, and to reformulating the theory of the legal status of juveniles.
		1) present;	
		2) no.	The dissertation has clear practical significance, and the possibility of applying the obtained results in practice is high, since the practical value of the dissertation research is multifaceted. The developed proposals may be used in the legislative
		9.2 The dissertation has practical significance and the possibility of applying the obtained results in practice is high:	
		1) <u>yes;</u>	
		2) no.	

			activities of the Parliament of the Republic of Kazakhstan, in the practice of law enforcement bodies (the Prosecutor Generals Office of the Republic of Kazakhstan, the Ministry of Internal Affairs of the Republic of Kazakhstan, and the Office of the Commissioner for Childrens Rights), and in the work of institutions for the protection of childrens rights. In addition, the dissertation materials may serve to improve the educational process in law faculties of higher education institutions.
		9.3 Are the practical recommendations new?	<u>Completely new.</u> The proposals under review introduce solutions previously unknown in domestic legislative practice: incorporating digital education measures into the criminal code, normatively establishing a digital forgetting procedure, and transferring neuropsychological examination into the category of a mandatory procedural action. Each of these is an innovation aligned with the trend of humanization in Kazakhstani legal policy.
		1) <u>completely new;</u>	
		2) partially new (25-75% new);	
		3) not new (less than 25% new).	
10.	Quality of writing and formatting	Quality of academic writing:	Halibiyati H.'s dissertation demonstrates a <u>high</u> level of academic language and may be regarded as one of the advanced examples of modern Kazakh scientific and academic expression; the legal terminology used
		1) <u>high;</u>	
		2) medium;	
		3) below average;	
		4) low.	

			in the work demonstrates the level of development of terminological culture in the Kazakhstani legal tradition. The work is formatted in full compliance with the Methodological Guidelines of KazNU and the requirements of the Ministry of Education and Science of the Republic of Kazakhstan.
11.	Comments on the dissertation		No principled comments or significant shortcomings were identified in the reviewed dissertation. Nevertheless, from the standpoint of further development of the research, three advisory considerations should be noted. First, the proposal in Statement 2 to introduce neuropsychological examination into Article 271 of the Criminal Procedure Code of the Republic of Kazakhstan as a mandatory procedural action is theoretically sound, especially from the standpoint of proper protection of childrens rights. However, it would be advisable to disclose in greater detail the procedural and organizational mechanisms for its practical implementation (the time required for examination, the range of specialists who conduct it, and the degree to which the expert results are binding on the court).

		In addition, the harmonization of the digital education measures and digital probation procedure in Statement 4 with the current system of educational measures in the Criminal Executive Code of the Republic of Kazakhstan, as well as the scope of competence among the subjects responsible for monitoring their implementation (probation service, commissions on juvenile affairs, administrations of educational institutions, parents), is an issue requiring clarification. Finally, if the tripartite model "State - Platform - Legal Representative" in Statement 7 were organically harmonized with the provisions of the Marriage (Matrimony) and Family Code of the Republic of Kazakhstan on parental upbringing and protection of children, the integration of this model with our family law doctrine would deepen. The noted recommendations are advisory in nature and in no way reduce the overall high scientific value of the research.
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12.	Scientific level of the doctoral students articles on the research topic (if the dissertation is defended in the form of a series of articles, the official reviewers examine the scientific level of each article of the doctoral student on the research topic)		The reviewed dissertation is not defended in the form of a series of articles. Nevertheless, the doctoral candidates scientific publications within the research topic, especially articles in internationally ranked journals (Journal of Criminal Justice, Scopus Q1, IF 4.3; Social & Legal Studios, Scopus), clearly demonstrate the high level of the candidates research potential.
13.	Decision of the official reviewer (in accordance with paragraph 28 of these Model Rules)		The dissertation work by Halibiyati Halibati on the topic "Problems of legal liability of juveniles for offenses in the sphere of informatization and communication" is an independent scientific study of high theoretical and practical significance, consistent with the Kazakhstani legal tradition. The work fully meets the requirements for the degree of Doctor of Philosophy (PhD) under the educational program "8D04203 - Jurisprudence", and the authors research ability demonstrates a high academic level. Taking these circumstances into account, I recommend that the Committee for Quality Assurance in Science and Higher Education of the Ministry of Science and Higher Education of the Republic of Kazakhstan award

			Halibiyati Halibati the degree of Doctor of Philosophy (PhD) in the specialty "8D04203 - Jurisprudence".
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Official reviewer:

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A.S. Sabyr