The Review
conducted by an official reviewer of thesis dissertation written by Kenzhaliyev Madi Zailagiuly on the topic "Constitutional Status of the "Astana" International Financial Centre" submitted for the degree of Doctor of Philosophy (PhD) in specialty "8D04201-Jurisprudence"

№ p/p	Criteria	Compliance with the criteria (one of the answer options must be checked)	Justification of the position of the official reviewer
1.	The topic of the dissertation (as of the date of its approval) corresponds to the directions of scientific development and/or government programs	1.1 Compliance with priority areas of scientific development or government programs: 1) The dissertation was completed within the framework of a project or target program financed from the state budget (indicate the name and number of the project or program) 2) The dissertation was completed within the framework of another state program (indicate the name of the program) 3) **The dissertation corresponds to the priority direction of scientific development, approved by the Higher Scientific and Technical Commission under the Government of the Republic of Kazakhstan (indicate the direction)**	The topic of the dissertation is in accordance with the priority directions of the development of science and also corresponds with the national programs, such as: 1. The Program of the President of the Republic of Kazakhstan dated May 20, 2015 "Nation's Plan – 100 Concrete Steps". 2. Joint Action Plan of the Government of the Republic of Kazakhstan and the National Bank of the Republic of Kazakhstan for the creation and development of the Astana International Financial Centre for the long term, approved by the Resolution of the Government of the Republic of Kazakhstan dated May 30, 2015 No. 393.
2.	Scientific significance	The work **does** make a significant contribution to science and its importance **is well disclosed** /is not well disclosed	The dissertation makes a **substantial contribution** to the legal science, with its importance being outlined in the dissertation. The research's scientific value and significance lie in the following: - Defining the concept of the constitutional and legal status of the Astana International Financial Centre (AIFC); - Conducting a detailed study of the historical development of international financial centers as well as special economic zones in Kazakhstan;

			- Highlighting international practices in the legal regulation of special economic zones within the financial sector; - Providing a comprehensive review of the primary bodies of the AIFC; - Offering an in-depth analysis of the AIFC Court, alongside leading international commercial courts across Asia and Europe. As a result, Kenzhaliyev M.Z.'s dissertation meets the highest standards required for PhD dissertations in the field of "8D04201-Jurisprudence"
3.	The principle of independence	Level of independence: 1) **High**; 2) Average; 3) Low; 4) No independence	The work reflects the author's independent research conducted at the **highest** academic level. The thesis is well-organized, exemplifying a high standard of academic rigor, and is presented with clarity and consistency. The candidate incorporates a robust selection of relevant national and international sources and legal documents. The research goals and objectives were successfully achieved, with findings clearly presented.
4.	The principle of internal unity	4.1 Justification of the relevance of the dissertation: 1) **Justified**; 2) Partially justified; 3) Not justified.	The dissertation topic is both relevant and well-**justified**. Kenzhaliyev M.Z.'s thesis addresses a highly pertinent scientific and practical issue, focusing on the constitutional status of the Astana International Financial Centre. The relevance of this topic is underscored by significant scientific and practical interest in the subject of the study. This research gains importance through its analysis of the legal and constitutional status of the AIFC, its governing bodies, the legal

			framework within the AIFC, the adaptation of English common law in Kazakhstan, and a review of international experiences from comparable financial centers. Therefore, in my professional opinion, the dissertation by Kenzhaliyev M.Z. on the "Constitutional Status of the Astana International Financial Centre" is of considerable relevance.
		4.2 The content of the dissertation reflects the topic of the dissertation: 1) **Reflects**; 2) Partially reflects; 3) Does not reflect	The thesis examines the status and role of the Astana International Financial Centre within Kazakhstan's state administration system. The dissertation content aligns closely with its topic, demonstrating a clear and logical structure that **reflects** the research's objectives and purpose. A thorough review of the work reveals a coherent progression that adheres to the dissertation's focus. It provides a detailed analysis of the AIFC's primary functions and applicable legal framework, as well as an in-depth study of its organizational and legal structure. Additionally, the dissertation addresses both current and anticipated challenges and explores future directions for the development of the legal regulation of the AIFC.
		4.3. The purpose and objectives correspond to the topic of the dissertation: 1) **correspond**; 2) partially correspond; 3) do not correspond	The primary aim of this work is to conduct a thorough analysis of the constitutional and legal status of the AIFC. Hence, the author articulates the thesis dissertation's main purpose and objectives with clarity, ensuring they align closely and **correspond** with the dissertation topic. The structured sequence and number of tasks effectively support the attainment of the

			research goal. This includes investigating essential aspects of its constitutional and legal status of the AIFC, assessing the compatibility of its legal system with Kazakhstan's national legal system, examining the role of the AIFC Court and its and place within Kazakhstan's judiciary, analyzing the AIFC's five other key bodies, and exploring the specific legal norms applied within the AIFC. Overall, the research purpose is comprehensively achieved, with each objective fully addressed in the study.
		4.4 All sections and provisions of the dissertation are logically interconnected: 1) **fully interconnected**; 2) the relationship is partial; 3) there is no relationship	Each section and paragraph of the dissertation is logically cohesive and consistently presented, with all the literature and statistical data being **fully interconnected** to form a comprehensive work. The content within each paragraph is detailed and contributes directly to clarifying the study's purpose and objectives. The tasks are addressed in a logical, interconnected manner, with the research findings serving as a solid basis for the conclusions and arguments presented for defense. This cohesive structure underscores the internal unity of the results obtained throughout the research.
		4.5 New solutions (principles, methods) proposed by the author are reasoned and evaluated in comparison with known solutions: 1) **there is a critical analysis**; 2) partial analysis; 3) the analysis does not represent one's own opinions, but quotes from other authors; 4) there is no analysis.	There is a **critical analysis** within the dissertation and the validity of each result are ensured by the relevance of the selected topic. The author provides the new solutions and proposes it in the clear and objective manner. The scientific findings presented by the dissertation author are grounded in a carefully developed organizational and methodological

			framework that is new within the sphere of comparative law as well as the constitutional law. The author conducted an in-depth analysis of judicial decisions from the AIFC Court, as well as a review of existing internal regulations of the financial center. The study's results and the conclusions derived from this scientific work are novel, as demonstrated by a thorough literature review, providing a comprehensive analysis within the research field.
5.	The principle of scientific novelty	5.1 Are the scientific results and provisions new? 1) **completely new**; 2) partially new (25-75% are new); 3) not new (less than 25% are new)	The scientific results, findings, conclusions, and key propositions submitted by the author for defense represent a meaningful and **completely new** contribution to the fields of constitutional and comparative law sphere, standing out for their originality. The conclusions align closely with the study's stated purpose and objectives.
		5.2 Are the findings of the thesis new? 1) **completely new**; 2) partially new (25-75% are new); 3) not new (less than 25% are new)	All findings in the thesis are **completely new**, theoretically significant, and organized into four main paragraphs, that together offer a substantial theoretical and practical contribution to advancing the legal field.
		5.3 Technical, technological, economic or management solutions are new and justified: 1) completely new; 2) **partially new (25-75% are new);** 3) not new (less than 25% are new)	While some technical, technological, economic, or managerial solutions are **partially innovative**, they are well-founded. The author provides recommendations for amending the substantive law of the Astana International Financial Centre, drawing on leading international practices. These proposals are intended to support the development and modernization goals of both the AIFC and the Republic of Kazakhstan's legal systems.

6.	Validity of the main conclusions	All main conclusions **<u>are based</u>** /are not based on scientifically sound evidence or are reasonably well substantiated (for qualitative research and areas of training in the arts and humanities).	The robustness of the results is supported and **<u>are based</u>** on a substantial body of analyzed materials, including scientific articles, relevant dissertations, research studies, and statistical data. The dissertation's findings, conclusions, and recommendations are well-founded, aligning with established standards for scientific research. This is evidenced by the use of general research methods, references to the works of prominent foreign and domestic scholars who have made substantial contributions to the field, and publication of the main principles. Each conclusion and finding are built on scientifically credible and reliable data, presented in a logical, clear, objective, and fact-based manner.
7.	Main provisions submitted for defense	It is necessary to answer the following questions for each provision separately: 7.1 Is the provision proven? 1) **<u>proven</u>**; 2) rather proven; 3) rather not proven; 4) not proven 5) in the current form it is impossible to verify the proof of the provision. 7.2 Is it trivial? 1) yes; 2) **<u>no</u>** 3) in the current form it is impossible to verify the triviality of the provision. 7.3 Is it new? 1) **<u>yes</u>**; 2) no 3) in the current form it is impossible to verify the novelty	**The first provision submitted for defense.** 7.1 Is the provision proven? 1) **<u>Proven.</u>** The concept of the "constitutional status of the Astana International Financial Centre" is newly introduced in Kazakhstani legal science, marking the first time it has been formally defined. This framework, as provided by the author, consists of interconnected constitutional statuses that cover various facets of the AIFC, including its governing bodies, territorial jurisdiction, legal system, official languages, and other foundational elements. Essentially, the constitutional and legal status of the AIFC integrates several components: the constitutional statuses of its main bodies, the jurisdictional status of its territory, its legal framework (which incorporates the roles of English common law

		of the provision. 7.4 Application level: 1) narrow; 2) average; 3) **wide** 4) in the current form it is impossible to verify the applicability of the provision. 7.5 Is it proven in the article? 1) **yes**; 2) no 3) in the current form it is impossible to verify the evidence of the provision.	and Islamic law), and the constitutional status of English, Kazakh, and Russian languages, among other aspects. 7.2 Is it trivial? 2) **No.** 7.3 Is it new? 1) **Yes.** 7.4 Level of application is: 3) **wide**. 7.5 Is it proven in the article? 1) **Yes**. **The second provision submitted for defense.** 7.1 Is the provision proven? 1) **Proven.** The author explores international practices related to the legal frameworks that govern the operations of prominent special economic zones within the financial sector, such as DIFC, QFC, ADGM and other, as well as modern models of international commercial courts (IComCs) that proliferated throughout the Asia and Europe. This study represents the first instance in which national legal scholars have analyzed global practices concerning the legal structures supporting the operations of leading financial special economic zones and the latest models of international commercial courts. 7.2 Is it trivial? 2) **No.** 7.3 Is it new? 1) **Yes.** 7.4 Level of application is:

			3) **wide**. 7.5 Is it proven in the article? 1) **Yes**. **The third provision submitted for defense.** 7.1 Is the provision proven? 1) **Proven.** The author conducts a comprehensive analysis of the legal regulation surrounding the Almaty Regional Financial Center (RFCA), examining both its historical and legal foundations, alongside the development of Kazakhstan's first and most recent international financial centers. This work is among the first to explore the operations of the RFCA, revealing that the center has received little attention from legal scholars, particularly regarding its role in the evolving financial sector that eventually paved the way for the establishment of the Astana International Financial Centre. 7.2 Is it trivial? 2) **No.** 7.3 Is it new? 1) **Yes.** 7.4 Level of application is: 3) **wide**. 7.5 Is it proven in the article? 1) **Yes**. **The fourth provision submitted for defense.** 7.1 Is the provision proven? 1) **Proven.** The author provides a thorough analysis of the

			constitutional foundations underpinning the legal norms that govern the sole purpose and five corresponding objectives and guiding principles of the Astana International Financial Centre identified in the AIFC Constitutional Statute. This examination covers the AIFC's jurisdiction, applicable laws and official languages, participants and their roles, as well as their activities and obligations. The study offers a detailed, holistic evaluation of the constitutional basis for the legal provisions regulating every aspect of the AIFC's operations, including its territory, language policies, legal framework, and distinctive features of its currency, tax, and visa regimes. 7.2 Is it trivial? 2) **No.** 7.3 Is it new? 1) **Yes.** 7.4 Level of application is: 3) **wide**. 7.5 Is it proven in the article? 1) **Yes**. **The fifth provision submitted for defense.** 7.1 Is the provision proven? 1) **Proven.** A central conclusion from the analysis of modern special economic zones, such as the Dubai International Financial Centre (DIFC), Qatar Financial Centre (QFC), and Abu Dhabi Global Market (ADGM), is that four essential policies are critical for establishing a successful SEZ:

			constitutional regulation, organizational autonomy, legislative delegation, and the incorporation of English common law principles within the financial center's jurisdiction. 7.2 Is it trivial? 2) **No.** 7.3 Is it new? 1) **Yes.** 7.4 Level of application is: 3) **Wide**. 7.5 Is it proven in the article? 1) **Yes**. **The sixth provision submitted for defense.** 7.1 Is the provision proven? 1) **Proven.** The dissertation introduces and supports a new perspective that clarifies Kazakhstan's legal landscape following the establishment of an unprecedented common law based judicial body – the AIFC Court. It offers a detailed analysis of the constitutional and legal foundations of the AIFC Court's status and operations, challenging the view held by some scholars that it constitutes a "special" or "extraordinary" court. The author also substantiates that the AIFC Court does not introduce a "duality" within the national judicial system, although, it does operate independently from the national judiciary. Thus, its establishment aligns with the Kazakh Constitution and does not conflict with its principles. 7.2 Is it trivial?

			2) **No.** 7.3 Is it new? 1) **Yes.** 7.4 Level of application is: 3) **wide**. 7.5 Is it proven in the article? 1) **Yes**. **The seventh provision submitted for defense.** 7.1 Is the provision proven? 1) **Proven.** The dissertation comprehensively analyzes the regulatory framework governing the AIFC, with a particular emphasis on the integration of English common law into Kazakhstan's legal system. It addresses the "coexistence" of Kazakh (the state language), Russian (the official language), and English within the AIFC, while also exploring the adoption of Islamic law to facilitate the growth of Islamic finance. 7.2 Is it trivial? 2) **No.** 7.3 Is it new? 1) **Yes.** 7.4 Level of application is: 3) **wide**. 7.5 Is it proven in the article? 1) **Yes**.
8.	Principle of reliability. Reliability of sources and information provided	8.1 The choice of methodology is justified or the methodology is described in sufficient detail 1) **yes**; 2) no	A variety of scientific methodologies were utilized to conduct a thorough and comprehensive analysis of the issues within the thesis dissertation. These included qualitative approaches such as the monitoring method and

			the dialectical method, as well as the historical approach, another qualitative technique. Additionally, the method of comparative jurisprudence was employed as a qualitative research technique to enrich the analysis.
		8.2 The results of the dissertation work were obtained using modern methods of scientific research and techniques for processing and interpreting data using computer technologies: 1) **yes**; 2) no	The findings of this dissertation were derived through the application of contemporary scientific research methods, along with data processing and interpretation techniques facilitated by computer technologies.
		8.3 Theoretical conclusions, models, identified relationships and patterns are proven and confirmed by experimental research (for areas of training in pedagogical sciences, the results are proven on the basis of a pedagogical experiment): 1) **yes**; 2) no	All theoretical assertions were substantiated by materials published in scientific articles and supported by literature review and judicial practice.
		8.4 Important statements are **confirmed**/partially confirmed/unsupported by references to current and reliable scientific literature	Key statements are substantiated and **confirmed** through references to pertinent and credible scientific literature. The reference list comprises 257 sources, all of which are cited in the dissertation to support references, borrowings, quotations, and discussions.
		8.5 The literature sources used **are sufficient** /are not sufficient for the literature review	The sources within the thesis provide a solid foundation for a comprehensive literature review. This review compares the perspectives of prominent scholars on the constitutional and legal regulation of financial centers and special economic zones within the financial sector. Additionally, the author has analyzed the latest publications relevant to the study's focus.
9.	Principle of practical value	9.1 The dissertation has theoretical significance:	The dissertation holds substantial theoretical

		1) **yes**; 2) no	significance, particularly in addressing the constitutional regulation of the Astana International Financial Centre. This focus represents a meaningful contribution to advancing scientific knowledge in the field of constitutional law as well as the comparative law.
		9.2 The dissertation has practical significance and there is a high probability of applying the results obtained in practice: 1) **yes**; 2) no	The dissertation possesses considerable practical significance, with a strong likelihood that its findings can be applied in practice. The conclusions and results could serve as valuable resources in normative and law enforcement activities, helping to address gaps and inconsistencies in current legislation. This work stands out as one of the initial comprehensive studies on the legal and constitutional regulation issues concerning the Astana International Financial Centre. The practical importance of this research is underscored by its relevance and originality; the insights and conclusions provide a detailed characterization of the current state of legal regulation in the field of constitutional law.
		9.3 Are the practice suggestions new? 1) completely new; 2) **partially new (25-75% are new)**; 3) not new (less than 25% are new)	The practical suggestions and proposals put forward in this study are innovative. The findings can be incorporated into the educational curriculum for courses on regularization of the Astana International Financial Centre and other courses. Additionally, these results may aid in fostering in understanding the judicial practices and decision-making processes of the AIFC Court.
10.	Quality of writing and	Quality of academic writing:	The dissertation demonstrates a **high** standard of

	design	1) **high**; 2) average; 3) below average; 4) low.	academic writing. The author effectively communicates and substantiates ideas through concise yet compelling scientific text, presenting original research findings. Alongside factual information, the work incorporates logical reasoning and a clear understanding of the implications of the findings. Citations and references to the works of leading scholars are extensively used throughout, adding depth and rigor to the analysis.
11.	Comments on the dissertation		Considering the points outlined above, I believe that the dissertation prepared by, the doctoral candidate on the topic "Constitutional Status of the "Astana" International Financial Centre" meets the necessary standards in terms of content, scope, and formatting and is suitable for public defense. However, the work could be further enriched by including a separate examination of the practical aspects of integrating English common law within the Republic of Kazakhstan and possibility to widen the application of the common law in other territories of the state.
12.	Scientific level of the doctoral candidate's articles on the research topic (in the case of defending the dissertation in the form of a series of articles, official reviewers comment on the scientific level of each doctoral student's article on the research topic)		The doctoral candidate's article demonstrates an exceptionally high level of scientific rigor. Theoretical depth, linguistic precision, writing skill, thoroughness, meticulousness, and logical coherence across all sections indicate that this work is crafted at a high academic standard. The content is enriched with new insights, reflecting the candidate's advanced level of knowledge.

13.	Decision of the official reviewer (in accordance with paragraph 28 of these Model Regulations)		In accordance with paragraph 28 of the Model Regulations on the Dissertation Council, the decision is to award the degree of Doctor of Philosophy (PhD) in the specialty "8D04201-Jurisprudence" to Kenzhaliyev Madi Zailagiuly.

Official Reviewer:
Acting Deputy Dean for Science and International Relations of Abai KazNPU
Kassymbek Aliya Orynbasarkyzy, PhD.



