



# UNITED NATIONS APPEALS TRIBUNAL TRIBUNAL D'APPEL DES NATIONS UNIES

Case No. 2025-2000

**Dorah Likukela**

**(Appellant)**

**v.**

**Secretary-General of the United Nations**

**(Respondent)**

**Order No. 604 (2025)**

1. On 7 February 2025, the United Nations Dispute Tribunal (UNDT or Dispute Tribunal) issued Judgment No. UNDT/2025/006 (the impugned Judgment) in the case of *Likukela v. Secretary-General of the United Nations*, in which it dismissed the application of Ms. Dorah Likukela (Ms. Likukela), a former staff member of the United Nations Organization Stabilization Mission in the Democratic Republic of Congo (MONUSCO) who challenged the Administration's decision to separate her from service for allegations of misconduct with compensation in lieu of notice and without termination indemnity.
2. On 8 February 2025, Ms. Likukela filed an appeal of the impugned Judgment with the United Nations Appeals Tribunal (UNAT or Appeals Tribunal), which was registered as Case No. 2025-2000. On 11 April 2025, the Secretary-General filed an answer.
3. On 14 February 2025, Ms. Likukela filed a Motion for Additional Pleadings (First Motion) contending that the UNDT committed an error in law and fact as the impugned Judgment contained false statements and distorted information which she had presented to the Office of Internal Oversight Services (OIOS).
4. On 21 February 2025, the Secretary-General filed his Comments on the First Motion, in which he contended that Ms. Likukela repeated arguments previously presented before the UNDT and already included in her appeal, and that she failed to show an "exceptional circumstance" justifying the First Motion.

5. On 16 April 2025, Ms. Likukela filed another Motion for “Permission to File Comments on the Respondent’s Answer” (Second Motion), in which she alleged that the Secretary-General provided misleading and untrue statements in his answer without any evidentiary support and that the impugned Judgment is fraudulent. She further denied any wrongdoing.

6. On 28 April 2025, the Secretary-General filed a response to the Second Motion, requesting the Appeals Tribunal to dismiss it since Ms. Likukela again failed to provide any evidence of an “exceptional circumstance”. He further asked that the additional pleadings and annexes be struck from the record.

7. Section II.A.3 of the Appeals Tribunal’s Practice Direction No. 1 provides that a motion to file an additional pleading may be granted if there are “exceptional circumstances justifying the motion”.

8. Article 2(5) of the Appeals Tribunal’s Statute states that “[i]n exceptional circumstances, and where the Appeals Tribunal determines that the facts are likely to be established with documentary evidence, including written testimony, it may receive such additional evidence if that is in the interest of justice and the efficient and expeditious resolution of the proceedings”.

9. According to well-established Appeals Tribunal jurisprudence, “where an additional pleading merely consists of supplementary arguments to those already submitted in an appeal or answer, there are no ‘exceptional circumstances’ which would allow the admission of the additional argument”.<sup>1</sup>

10. In the present case, I find that Ms. Likukela has failed to demonstrate exceptional circumstances that would warrant receipt of her additional pleadings and annexes. On the contrary, as correctly observed by the Secretary-General in his Comments, I find that the additional pleadings in both Motions merely repeat or seek to supplement the arguments previously presented before the Dispute Tribunal, and/or repeat the arguments that she made in her appeal.

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<sup>1</sup> *Tejbir Singh Soni v. Secretary-General of the United Nations*, Order No. 527 (2023), para. 7; *Mihai Nastase v. Secretary-General of the United Nations*, Order No. 514 (2023), para. 12.

11. For these reasons, the Motions are denied.

**IT IS HEREBY ORDERED** that Ms. Likukela's 14 February 2025 and 16 April 2025 Motions are **DENIED**.

Original and Authoritative Version: English

Decision dated this 7<sup>th</sup> day of July 2025  
in Washington D.C., United States

*(Signed)*  
Judge Nassib G. Ziadé,  
Presiding

Order published and entered in the Register on this  
7<sup>th</sup> day of July 2025 in New York, United States.

*(Signed)*  
Juliet E. Johnson,  
Registrar