



UNITED NATIONS APPEALS TRIBUNAL TRIBUNAL D'APPEL DES NATIONS UNIES

Case No. 2025-2040

Dorah Likukela

(Appellant)

v.

Secretary-General of the United Nations

(Respondent)

Order No. 617 (2025)

1. On 15 July 2025, the United Nations Dispute Tribunal (UNDT or Dispute Tribunal) issued Judgment No. UNDT/2025/045 (impugned Judgment) in the case of *Likukela v. Secretary-General of the United Nations*, in which it dismissed as not receivable the application of Ms. Dorah Likukela (Ms. Likukela). In her application, Ms. Likukela had contested several administrative decisions, namely: i) the theft of her wages in the sum of USD 47,224.62; ii) the prevention of payment of her United Nations Pension totaling USD 223,725.00; iii) the absence of a legal basis for the recovery of her final pay and the concealment of this act until queried; iv) the illegal withholding of her final pay; v) the risk of damage, loss, or theft to her belongings valued at USD 45,000.00, as well as the accumulation of storage charges; vi) criminal trespass of her house, vandalism and looting of her belongings and evidence in the illegal civil suits inflicted on her; and vii) the validation of illegitimate Judgment No. 2014/HPC/0057 issued by the High Court of Zambia (High Court), as well as the delegitimization of a legitimate final Default Judgment issued by the same Court.

2. On 19 July 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. 2025-2040. On 19 September 2025, the Secretary-General filed an answer.

3. On 19 July 2025, Ms. Likukela also filed a Motion for Additional Pleadings (First Motion), in which she contended that the UNDT: i) erred by upholding certain challenged

facts and ignoring substantive claims; ii) failed to recognize that she is a victim of Zambian disempowerment and political corruption; iii) failed to exercise independent judicial review and improperly relied on a flawed administrative decision; and iv) committed an error in procedure by violating her right to an impartial tribunal.

4. On 30 July 2025, the Secretary-General filed his Response to the First Motion (First Response), arguing that Ms. Likukela improperly raised new arguments that supplemented her appeal and addressed the merits of the case rather than the issue of receivability. He also contended that she failed to demonstrate any “exceptional circumstances” justifying the First Motion. Should the Appeals Tribunal treat the First Motion as a request to extend the page limit of her appeal brief, the Secretary-General asserted that Ms. Likukela has not satisfied the requirements for such an extension.

5. On 1 August 2025, Ms. Likukela filed a Motion for Leave to Comment on the Secretary-General’s First Response (Second Motion). She asserted that her additional pleadings constituted exceptional circumstances “explaining how the UNDT’s failure to consider the estoppel principle whilst reviewing the facts before it led to a manifestly unreasonable questionable decision”. She further argued that these additional pleadings were “crucial for the complete and just adjudication of the appeal concerning the ‘receivability’ of [h]er application”.

6. On 7 August 2025, the Secretary-General filed his Response on the Second Motion (Second Response), contending that Ms. Likukela, as in the First Motion, improperly raised additional arguments supplementing her appeal, including those addressing the merits of the case, and failed to demonstrate any “exceptional circumstances” justifying the Second Motion. He argued that the UNAT should consider whether the Second Motion amounts to a frivolous submission and may wish to warn her against filing further motions for additional pleadings. In this regard, the Secretary-General highlighted, among other things, that previous motions submitted before the UNAT by Ms. Likukela were rejected on the same grounds.¹

7. On 7 August 2025, Ms. Likukela filed Comments on the Secretary-General’s Second Response (Third Motion). She argued that the Secretary-General attempted to evade the substantive legal issues raised, which concern fundamental questions of due

¹ *Dorah Likukela v. Secretary-General of the United Nations*, Order No. 604 (2025).

process and judicial integrity. She emphasized that her filings are not frivolous but rather constitute “a genuine and good-faith attempt” to provide the Appeals Tribunal with the necessary detail to fully understand the case.

8. On 12 August 2025, the Secretary-General filed his Response to the Third Motion (Third Response), asserting that Ms. Likukela once again failed to demonstrate any “exceptional circumstances” warranting the Third Motion. He further noted that her comments were submitted without seeking prior leave to file and requested that the UNAT should consider warning Ms. Likukela against filing further pleadings without first obtaining the Appeals Tribunal’s permission.

9. On 22 September 2025, Ms. Likukela filed a Motion for Leave to Comment on the Secretary-General’s Third Response (Fourth Motion), in which she contended that the United Nations’ recovery of her wages and pension constitutes an unjust and arbitrary deprivation of her rightful property, forms part of a constructive dismissal and requested the Secretary-General’s Response to be rejected.

10. On 30 September 2025, the Secretary-General filed his Response to the Fourth Motion (Fourth Response), in which he submitted that Ms. Likukela’s Fourth Motion merely reiterates arguments presented in her appeal and in previous Motions, and requested that it be denied. He further asserted that Ms. Likukela once again failed to demonstrate any “exceptional circumstances” justifying the Fourth Motion. Finally, he reiterated that the UNAT should consider whether the Fourth Motion amounts to a frivolous submission and may wish to warn her against filing further motions for additional pleadings.

11. 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”.

12. 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”.

13. 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”.²

14. In the present case, I find that Ms. Likukela has failed to demonstrate exceptional circumstances that would warrant receipt of her additional pleadings. On the contrary, as correctly observed by the Secretary-General, I find that the additional pleadings in the Motions merely seek to supplement the arguments that she made in her appeal. In this regard, I recall that, pursuant to Appeals Tribunal jurisprudence, “additional submissions and annexes as supplementary arguments and in response to the [Secretary-General]’s submissions as rebuttal (...) [are] not authorized in the process”.³

15. I further find that Ms. Likukela’s repetitive, frivolous motions are misusing the precious resources of the internal justice system. Ms. Likukela is hereby put on notice that, should she persist in filing another motion that includes any of the arguments contained in the Four Motions disposed of in this Order, or any other frivolous, unwarranted or irrelevant motions with this Tribunal, the UNAT will award costs against her for abuse of the appeals process, as provided for in Article 9(2) of the Statute.

16. For these reasons, the Motions are denied.

² *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.

³ *Mihai Nastase v. Secretary-General of the United Nations*, Order No. 506 (2023), para. 7.

IT IS HEREBY ORDERED that Ms. Likukela's Motions of 19 July 2025, 1 August 2025, 7 August 2025 and 22 September 2025 are **DENIED**.

Original and Authoritative Version: English

Decision dated this 16th day of October 2025
in Beijing China

(Signed)
Judge Gao Xiaoli,
Presiding

Order published and entered in the Register on this
16th day of October 2025 in New York, United States.

(Signed)
Juliet E. Johnson,
Registrar