

Likukela

Embarrassing the UN without even trying too hard

A simple clerical error, a 'Tom and Jerry' selection panel, and a 'Rip van Winkle' investigation' in yet another farcical example of the “very highest standards of *efficiency, competence, and integrity*” expected of an international civil servant in the UN.

21 April 2025

Likukela; Executive Summary

This case is about a UN staff member – a former senior Police Officer in her home country a Zambia who had actually been employed in the UN as a professional investigator - who, after leaving the Organization in 2013, found that over \$580,000 had been credited to her account at the United Nations Federal Credit Union. (“UNFCU”) The UNFCU is a federal credit union regulated by the National Credit Union Administration. It is not a UN agency or part of the UN system, but provides financial services to UN staff members.

- The UNFCU credited the money to her account in error, but Ms. Likukela immediately started spending it, or at least moving out of the UNFCU.
- By the time the UNFCU found where the money had gone; there was only just over 10% of it left. They contacted Ms. Likukela and explained the money had been credited in error, and asked her to return it. They also seized what remained in the account.
- Ms. Likukela initially promised to provide the UNFCU with a 'Repayment Plan' but failed to do so, and never returned any of the money, so after a few months, they raised legal action in her home country, Zambia, to recover it.
- Ms. Likukela responded to the writ with a counterclaim, in which she alleged that the money represented payment of her final benefits and settlement of an Appendix D claim for a work-related injury she had suffered in the course of her employment. She also sought damages of US\$100 Million.
- At that time, no decision had been made about that claim and she had no documentation or other evidence in support of the pleadings in her legal counter-claim. Her Appendix D claim was subsequently denied by the relevant medical board in the UN, but Ms. Likukela challenged that decision in the UN Dispute Tribunal, She lost, but appealed the judgement, and lost again on appeal. She still failed to repay the UNFCU.
- While in Zambia, she filed a large number of legal cases with the local courts, still claiming the money was in settlement of the Appendix D claim that had been formally and finally denied by the UN. These included alleging that she was a victim of a great international conspiracy to defraud her, for which she had no evidence. She accused a leading lawyer in the country – now the Attorney-General - of theft, for which she was sued for defamation.
- Unbelievably, seven years after leaving the UN, she applied for, and was successful in being appointed to another UN post; at a managerial level in the 'Special Investigation Unit' in the Department of Safety and Security in the MONUSCO mission.
- After taking up that post, a complaint was received by OIOS, identifying Ms. Likukela as the

defendant in the UNFCU's legal action for recovery of some \$490,000 that she had unlawfully retained. An investigation was initiated.

- In the meantime, Ms. Likukela was employed in an investigative role in MONUSCO, allegedly supervising as many as 43 other staff members.
- It is apparent that the selection process in the UN did not involve carrying out any kind of background check, nor were any enquiries conducted among her former colleagues to establish whether she was a competent investigator, or a fit and proper person to be in a senior investigative position.
- When interviewed by OIOS, Ms. Likukela presented OIOS investigators with what she claimed was a judgement in her favour from the High Court of Zambia, awarding her approximately US\$100 Million.
- The “judgement” she had exhibited was confirmed to be a forgery, but the OIOS investigation took just *over three years* to complete.
- By that time, the Zambian court had issued its final judgement, but Ms. Likukela had still made no effort to return any money to the UNFCU.
- In the time that Ms. Likukela was employed in the SIU in the MONUSCO mission; her total salary (excluding medical and other benefits) is estimated to have exceeded another \$500,000
- Reaching a disciplinary decision on the basis of the OIOS investigation, the Organization terminated her employment, but Ms. Likukela still received a financial sum in lieu of notice.

This case highlights the absence – or at least the laxity - of any pre-employment checks carried out by the Organization prior to any offer of employment, and the consequences of such negligence.

The fact that the investigation carried out by OIOS took three years to complete is also indicative of what must, at best, be serious supervisory shortcomings on the part of OIOS managers.

The case also highlights a lack of communication between departments and stakeholders, and points to a lack of any willingness to pursue this matter as a case of criminal fraud; further promoting a culture of impunity in the Organization.

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A the 2016 UN Dispute Tribunal judgement UNDT/2016/180

Online at: <https://www.un.org/en/internaljustice/files/undt/judgments/undt-2016-180.pdf>

B the first 2017 UN Appeals Tribunal judgement 2017/UNAT/737

Online at: <https://www.un.org/en/internaljustice/files/unat/judgments/2017-UNAT-737.pdf>

C the second 2017 UN Appeals Tribunal judgment 2017/UNAT/808

Online at: <https://www.un.org/en/internaljustice/files/unat/judgments/2017-UNAT-808.pdf>

D the 2025 Dispute Tribunal judgement; UNDT/2025/006

Online at: https://www.un.org/internaljustice/oaj/sites/default/files/2025-03/undt-2025-006_likukela_publication_0.pdf

E Dora Likukela – LinkedIn page

F Dora Likukela – approximate salary calculation

Foreword

This case is about a former staff member whose account was accidentally credited with half a million dollars and who decided it would be a good idea to keep it..... and then got another job with the UN, and continued to keep the money....

Human nature being what it is, people make mistakes, and people will doubtless continue to make mistakes for as long as humans survive on this planet are doing, because, as the proverb goes; “*To err is human.*” There is nothing inherently wrong with the concept of a mistake. Mistakes are actually useful if they serve as a learning experience, and in that respect, most reasonably intelligent people know that the best kind of mistakes to learn from are *other people's*.

So what happened here was a simple clerical error in the UN Federal Credit Union, but what happened to turn it into a major public embarrassment was that the UN then bought into it..... proving, once again that while “*to err is human*” - a really good way of making a total mess of it is to let the UN anywhere near it.

Many UN staff members will have wondered why, if a private company decides they need to hire somebody else for their IT department, or to manage an overseas operation, or work in the mail room or make the coffee for that matter, they can advertise the position and have a new person in place in a matter of weeks or a couple of months. Faced with the need to fill any vacancy, the UN, on the other hand, will not just to “*take a long time*” to do so but take so long as to encroach upon eternity.....

Even then, many of the candidates who emerge victorious from the exercise give everyone else cause to suspect that the entire process was “*fixed*”. We can only wonder about what (if any) verification process the UN Office of Human Resources actually goes through to confirm that what a candidate has stated in their application is true and honest.

It does not appear that they do anything, because shocking as though the following analysis of the Likukela case might be; absolutely everything in it is based on open source information. There is nothing in this document that the UN could, and should, have discovered for themselves – *at no cost* - prior to Ms. Likukela being appointed.

This case was not an anomaly either. There have been numerous examples of recruitment exercises being so suspicious as to raise a reasonable belief that the Hiring Manager was biased or did not act in good faith, but provided the UN can insist that the *proper procedure* was followed; there is next to nothing that any unsuccessful candidates can do about it.

This is the problem with the UN; it is riddled with corruption, but that corruption is usually dressed up to appear *procedurally correct*.

On rare occasions the most egregious *irregularities* are exposed, as was seen in the [Chhikara \(UNDT/2019/150\)](#). There, the Examination and Test Section in OHRM engaged in extraordinary

linguistic gymnastics to redefine the concept of “passing” a written test, but as invariably happens, those irregularities are just overlooked and none of the parties responsible for the unethical manipulation of the process are held accountable.

The chosen candidate retains his post, regardless of their ineptitude and regardless of any irregularities in how they were appointed, so from the venal Hiring Managers point of view; crime *does* pay.

The Organization does little, if anything, to uphold standards in the recruitment process, or to address failures in the system when they are identified. Consider the example in [UNDT Order No. 276 \(NY/2016\)](#) where there was information from a credible source that a senior job in the Pension Fund was going to a former OIOS internal auditor as his *reward* for having gone easy on past audits. One might expect the Under-Secretary-General of OIOS to have acted on that information, even if only to dispel any concerns about the integrity of those past audits – but of course *nothing was done*.

Loyalty appears to have been of more importance than personal integrity to the managers of the pension fund, and they are not unique in that opinion.

The Likukela case also showed that it is clearly of no concern to the Administration that a completely unsuitable person is appointed to a post - particularly an investigative post. There is a widely held belief that the only thing that is of any importance is whether the person in the post can be relied upon to do *what their superiors want them to do*.

The UN clearly uses the investigation function as a tool to exercise control rather than as a means to identify misconduct or enforce required standards of conduct. For that reason, the personal integrity of the individuals carrying out an investigation into another staff member - and the credibility of the office they work for - are things the Administration sees as a complete irrelevance.

I worked in OIOS in January 2014, after the judgement in [Nguyen-Kropp & Postica \(2013/UNDT/176\)](#) exposed (at least partially) the unethical shenanigans that went on in OIOS, and when the then Investigations Director, Michael Stefanovic pleaded in vain to have the parties responsible for the travesty exposed in that case to be placed on Administrative Leave (with pay) for the sake of protecting the reputation of OIOS; his request was staunchly refused.

Those people went on with their careers quite happily. The only person to be disciplined out of the entire cast of conspirators was *me*; and that was for drawing attention to something that the judge held to be a finding of fact, for which am very proud to have received a “reprimand” (after I had left.)

Protection of the guilty was of more importance than the reputation of OIOS among the staff.....

Later, when Michael Stefanovic refused to initiate an investigation into Anders Kompass, who the Administration wanted to have investigated for “*leaking confidential information*” - something Stefanovic recognised as a witch hunt; the Organisation proved that *control* was more important than the independence, the reputation and the integrity of OIOS. Of course those willing to submit to that control, by disregarding logic and ignoring the established rules and procedures to carry out a vindictive investigation to appease unprincipled senior managers in the UN reap the rewards of their protection.

When the road to promotion for investigators lies in doing *what their superiors want them to do*; that impacts on what cases are or are not investigated, and that has implications for what behaviour is tolerated in the UN and what is punished not based on the behaviour in question but based on *who is accused of doing it*.

That is the essence of corruption, and is fundamentally incompatible with the Rule of Law, which is something the UN claims to respect and promote.

Experience, sadly, has shown that demonstrable standards of efficiency, competence, and integrity are not rewarded in the UN Secretariat, and not in the investigative function in particular; what is rewarded instead is sycophancy and loyalty to the groupthink.

Ms. Likukela and her misappropriation of half a million dollars is but a minor insignificance in a much bigger problem; an organization riddled with a toxic cocktail of professional incompetence and *procedurally correct* corruption, and that rather than acting independently, the UN is subject to manipulation by political pressures.

The rot having set in, the problem faced by the Secretary-General is that it cannot be eradicated by the same people with the same mindset as fostered it and failed to even recognise it earlier.

Ms. Likukela may or may not have repaid the \$487,216.20 with interest (at the rate of 2% per annum from 1 August 2013 that should now be somewhere in the region of \$616,150.00) but she has certainly given the UN the run-around – exposing the ineptitude of both the DSS and OIOS in the process.

We are left with another excellent example of why there is a need for serious reform of the UN Secretariat, and why it needs to start with taking the investigative and disciplinary functions out of the hands of the Organization itself.

Peter A Gallo
21 April 2025

The clerical error

Ms. Dorah Namasiku Likukela joined the UN on 21 February 2007 as an Investigator with the Investigation Division of the Office of Internal Oversight Services (“OIOS”).

Prior to that she claims to have spent a year as a Senior Investigator at the Task Force on Corruption in Zambia, investigating political corruption in that country in the 1990s, and before that had spent nearly 18 years in the Zambian Police, reaching the rank of Detective Senior Superintendant where she claims to have had considerable experience investigating transnational financial crime.¹

Her resume looks impressive.

She left OIOS after a year and took up another investigative position in the UN, this time in 'UNMIT' mission in East Timor as a P-3 level² investigator with the Serious Crimes Investigation Team, where she remained until she left the Organization at the end of 30 June 2013.³

OIOS is the investigative agency charged with the investigation of staff misconduct in the UN (at least in the Secretariat, as many of the funds and programs and other UN agencies have their own investigative offices.)

I was also employed as an OIOS investigator a few years later, but Ms. Likukela was based in the 'UNMIS' mission in Sudan whereas I was based in New York so we were not there at the same time and we were never in the same location. For the avoidance of doubt; prior to the publication of this UNDT judgement, I had never heard so much as a whisper of the matter which led to it and had never heard of Ms. Likukela.

There is, I believe, some significance in the fact that this woman was employed by the Organization as an investigator, and for two very basic reasons

The first is because, while I have some doubt over the assertion that “the best indication of future performance is past performance,” - I do believe that the best indication of future *behavior* is past behavior. The UNDT judgement in **Likukela -v- Secretary-General (UNDT/2025/006)**⁴ (attached at “Annex D”) does not even hint at any information to suggest any shortcomings in Ms. Likukela's performance as an investigator but it certainly highlights her suitability to hold an investigative post.

It is, of course, not impossible that someone who has led a totally blameless life and never committed so much as a minor indiscretion of any kind might - all of a sudden - steal millions from his employer, murder someone for no reason or commit some other heinous offence; but it is unlikely. It is more likely that the person who would engage in such unlawful and anti-social behavior would have a history of disregard for legal and social norms.

The UN is also under a mandatory duty, under Article 101(3) of the UN Charter, to do what the private

1 <https://www.linkedin.com/in/dorah-likukela-90274b45/>

2 UNAT Judgement Likukela (2017-UNAT-808). [Annex C] Para 2

3 UNDT Judgement Likukela (UNDT/2025/006). [Annex D] Para 3

4 *ibid* Para 3

sector generally knows to do without being directed, not just common sense, it is as a matter of fundamental importance to success, and indeed to their corporate survival!

That provision on the charter however, sadly to be one that is quite alien to the UN Office of Human Resource Management as it appears to be observed “more in the breach than the observance.”

UN Charter. Article 101(3)

“The paramount consideration in the employment of the staff and in the determination of the conditions of service shall be the necessity of securing the highest standards of efficiency, competence, and integrity.”

Secondly, the credibility of any investigation office is directly dependent on the reputation of the individuals working there. Investigators in the UN, *like caesars wife*, have to be above suspicion. UN staff members – and the member states - have to trust the UN's investigators if their investigations are to have any credibility.

An investigation carried out or supervised by investigators who have a history of any kind of bias, gross ineptitude or unethical behavior is not worth the paper used to print the report.

Together those factors point to the need for special pre-employment vetting being warranted for investigators, and investigators being held to very high standards of personal integrity.

Clearly, the UN does not agree, and the facts – in this case and in many others – show that the UN is strangely unconcerned with the integrity of the investigative function in the Organization.

My own experience of OIOS, and my enlightenment as to the extent of the corruption in the UN began when my supervisors tried to portray me as some kind of investigative moron by imposing a 'Performance Improvement Plan' that they could not justify (but which actually stated that as an investigator I “*must never ask questions just to satisfy my curiosity.*” Instead, their actions towards me from that point on can only be described as 'retaliation' (even if the Ethics Office refused to rule on it.)

It was, however, the hearing in the UNDT case of *Nguyen Kropp & Postica* that revealed numerous instances of the most egregious impropriety and unethical behavior on the part of senior officials. Fully aware of all of that, the Administration chose to **protect** the guilty parties. The then USG/OIOS refused to even suspend them in order to protect the reputation of the office.

Be that as it may, Ms. Likukela separated from the UN on 30 June 2013⁵ when, like all staff members, she would have been entitled to some final payments that would be paid to her in due course. Indeed, a month later, on 31 July, her account at the United Nations Federal Credit Union (“UNFCU”) was credited with the sum of US\$28,256.30 being the payment of those terminal benefits due to her.⁶

Then, the following day, on 1 August, the UN credited a further sum of money to her account; but this time it was the not insignificant amount of US\$587,428.65.⁷

⁵ UNDT Judgement Likukela ([UNDT/2025/006](#)). [Annex D] Para 3

⁶ *ibid.* Para 39

⁷ *Ibid.* Para 4

The very next day, she started spending it – and moving it out of her UNFCU account. In six weeks, she had made nearly US\$520,000 (more than 88% of it) *disappear*.⁸

It was at that point that the UNFCU woke up to the fact that someone had blundered. The \$587,428.65 that had been paid into Ms. Likukela's account should actually have been paid - as salary – into the accounts of “*multiple*” UN staff members.⁹

How many is “multiple”? That is a fair question, because if we take a guess of an average months salary of, say \$7,500; that would suggest that nearly 80 staff members were left wondering why they were not paid at the end of June. That is the sort of question that might occupy their minds; it is the sort of question that might prompt them to ask questions like “*Where's my salary?*” That is the sort of question that might find its way up the UN chain of command to the Office of the Controller if it was not asked of the UNFCU directly, and to which the Office of the Controller had the perfectly reasonable answer of “*I don't know*” as the money had clearly been sent to the UNFCU.

Something clearly went wrong, but clerical errors can - and do – happen. To expect any organisation to be 100% error free is simply unreasonable, what the most surprising aspect of this particular clerical error is that it appears to have taken the UNFCU *six weeks* to find out what happened to the half a million dollars that had gone astray! What that says about the financial controls in place, and indeed the management, of the UNFCU is a question that certainly deserves an answer.

The comforting(?) news however is that three days after they realised what had happened, no less a figure than the Vice President for Security and Investigations at the UNFCU spoke to Ms. Likukela by phone and asked if they could have the money back.¹⁰ A couple of days later, on 18 September 2013, she sent him an email in which she wrote “*I will be in touch by COB [close of business] tomorrow with the details of my repayment plan.*”¹¹

From a legal perspective, the use of the word “repayment” in that sentence is particularly relevant. Most people would understand that a document promising to repay money would be an admission that the money originally came from the party to whom the document was addressed and that they owed them the money....

Human beings do not, as a rule, give written undertakings to pay back money that they are not legally obligated to pay back.

The UNFCU was however very soon to be disappointed; Ms. Likukela failed to provide any 'repayment plan'. She never paid back any of the money either.

8 UNDT Judgement Likukela ([UNDT/2025/006](#)). [Annex D] Para 5

9 *ibid.* Para 6

10 *ibid.* Para 7

11 *ibid.* Paras 8 & 30

A concept that features in a number of areas of law, at least in English Common Law jurisdictions, is that of the “reasonable man”- described as a hypothetical reasonably educated, reasonably intelligent but otherwise unremarkable bald-headed gentleman on the back seat of a Clapham omnibus - in determining what an individual should do be expected to do, if acting reasonably, in a given situation.¹²

Question : If the “reasonable man” were employed in as a manager in a bank, credit union or other financial institution; what would they do when a customer in Ms. Likukela's position failed to repay the money that had been credited to her in error?

The first thing they did was to seize the credit balance in Ms. Likukela's account, which amounted to approximately US\$99,800.00.¹³

That was excellent, but we can work out the following:

Sum credited 31 July ¹⁴	\$28,256.30	
Credit Balance prior to 1 August	\$31,925.00	←
Amount credited in error:	\$587,428.65	
minus amount moved/spent:		\$519, 554.23
Balance remaining (mid-Sept)	\$67,874.42	
Amount seized by UNFCU to offset		\$99,800
Approximate prior credit balance		

Seizing the remaining credit balance in the account, however, appears to have been the extent of the UNFCU's actions upon discovery of their clerical error, but it is significant that the UNFCU official who contacted Ms. Likukela was the Vice President for Security and Investigations, and that on 18 September 2013 she had promised to “*provide him with a repayment plan.*”¹⁵

Unfortunately, no repayment plan ever materialised, and no money was returned either, so with every day that passed, even the most optimistic of idealistic and cheerful bank managers must have begun to have doubts as to whether they would ever see their money. In this particular case, it should have been an additional concern to the UNFCU that the money was in the hands of an individual who claimed to have been a financial crime investigator who had successfully investigated transnational money

¹² https://en.wikipedia.org/wiki/Man_on_the_Clapham_omnibus

¹³ UNDT Judgement Likukela (UNDT/2025/006). [Annex D] Para 9

¹⁴ *Ibid.* Para 39

¹⁵ *Ibid.* Para 8

laundering.¹⁶ Such a person might know where to hide it....

Question : Did the Vice President for Security and Investigations at UNFCU ever contact the UN to ask if they had any information they could share about her?

Ms. Likukela had been one of only 10 international investigators in the Serious Crimes Investigation Team in the UNMIT mission in East Timor.¹⁷ It should hardly have been difficult to find some of them – but we can only hypothesize as to the answer to that question. Nevertheless, the UNFCU was faced with a potential loss of half a million dollars; it was too late for 'security' so one would expect the problem to be one of 'investigation.' Any reasonably competent Vice President for Security and Investigations ought to have been doing everything in his power to build a picture of where Ms. Likukela might have assets that could be garnished, attached or seized as security for this debt, anywhere in the world.

She was from Zambia but she may have had connections to other countries and the UNFCU ought to have been concerned that she might have used the money to buy property somewhere else. It would be useful to know where to start looking.

On a personal note, (and not for the first time) I cannot help but to see an element of *schadenfreude* in this.

The UN likes to hold OIOS out to the world as “*the highest investigative body in the UN system*” so, if the UNFCU recognised that they had a potential money laundering problem – and bearing in mind Ms. Likukela had, a few years earlier, been an OIOS investigator - it would not have been unreasonable for the VP Security & Investigations at the UNFCU to pick up the phone to OIOS and ask if they might meet in Starbucks round the corner to have an off-the-record chat about a little problem they had.

That, after all, is how things often work in the real world.

I have no idea if the UNFCU initiated any sort of asset-tracing investigation or if that included having a word with OIOS; but OIOS *did* happen to have an investigator on staff at the time who, prior to joining the UN, had been internationally recognised as an authority on money laundering, and that was *me* - but at that time, OIOS was bending over backwards to try to try to discredit me in every way possible and portray me as an investigative idiot.

That just happened to be at the same time as there was a major corruption scandal brewing in the UN involving a Chinese business tycoon based in Macau, when the only investigator in OIOS with any experience of corruption in China and the questions to ask in Macau was also *me*.

There are, of course, a lot of “*coincidences*” in the UN, especially when OIOS is concerned...

The significance of the question about whether the UN was made aware of the UNFCU's interest in recovering this money from Ms. Likukela is one that would become relevant much later. It relates to whether anyone in the UN was made aware of the clerical error and the fact that the UNFCU was seeking to recover that money from her.

¹⁶ <https://www.linkedin.com/in/dorah-likukela-90274b45/details/experience/>

¹⁷ UNDT Judgement Likukela ([UNDT/2025/006](#)). [Annex D] Para 3

The Litigation

Over four months later, in early February 2014, recognising that their hopes of repayment had gone the way of the dinosaur, the UNFCU filed a civil action against Ms. Likukela in the High Court of Zambia to recover the outstanding US\$487,216.20 she had failed to repay.¹⁸

It appears that the UNFCU simply viewed this as a debt recovery exercise, but the more important question is whether they considered also reporting the matter as a **criminal offence**.

We do not know, but hold that thought....

What we *do* know is that she claimed, in the defences that she lodged to the case is that she alleged the \$587,428.65 that was credited to her account was the money she expected “*for her separation benefits and/or for her appendix D claim (plus reimbursement of related travel and medical expenses)*.”¹⁹

Appendix D to the UN Staff Regulation and Rules contains the rules governing compensation in the event of death, injury or illness attributable to the performance of a UN staff member's official duties, and Ms. Likukela had filed a claim for an alleged injury incurred during the course of a medical examination conducted at a medical facility in her duty station in August 2011.²⁰

That is curious because if Ms. Likukela genuinely believed this money to be in settlement of her Appendix D claim, it begs the question of why, when the UNFCU first contacted her about this money, she undertook to provide the UNFCU with a “*repayment plan*.”²¹ and completely failed to make any mention of an Appendix D claim.....

in any case, to disprove Ms. Likukela's explanation, the UNFCU had to obtain information from the UN Advisory Board on Compensation Claims²² (“ABCC”) – not about the nature of the injury or illness (which would be privileged medical information) but simply to show that she could not have reasonably believed that she was expecting that amount of money.

That was important because, combined with her email to the UNFCU VP Security & Investigations undertaking to submit a repayment plan²³, if it could be proved that she had submitted a defence that she knew not to have been true, this was indicative of fraud and perjury, which comes back to the UNFCU's option of also reporting the matter as a criminal offence.

In my own experience, in the real world, adding the criminal dimension to what had hitherto been viewed as a simple debt recovery action often has a certain curative effect, facilitating a sudden willingness to reach an out-of-court settlement.

18 UNDT Judgement Likukela ([UNDT/2025/006](#)). [Annex D] Para 10

19 *ibid.* Para 11

20 UNDT judgement Likukela ([UNDT/2016/180](#)) [Annex A] Para 1

21 *Ibid.* Para 8

22 <https://hr.un.org/topics/advisory-board-compensation-claims-abcc>

23 UNDT Judgement Likukela ([UNDT/2025/006](#)). [Annex D] Para 8

Ms. Likukela also filed a counterclaim to the UNFCU's civil action, claiming that they had “*irregularly siphoned the funds from her account*” and seeking return of the \$99,800 credit balance in her account that the UNFCU had offset, together with damages and interest bringing the total amount of her counter-claim to over \$100 Million.²⁴

The Zambian legal system does not recognise the US concept of 'punitive damages' so this is clearly wandering onto the realm of Cloud Cuckoo Land.

The Further Legal Adventures of Ms. Likukela

Ms. Likulela's Appendix D claim arose out of her visit to the Medical Services Section in the UNMIT mission on 3 August 2011 for an examination, immediately after which she reported to the Special Investigations Unit in the mission, complaining she been sexually assaulted²⁵ during that medical examination.²⁶

She subsequently filed a claim for compensation under Appendix D, and after a series of other medical diagnostic procedures the Medical Services Division in New York advised the Advisory Board on Compensation Claims that the examination that gave rise to her complaint was reasonable and the appropriate medical practice for a patient presenting with her signs and symptoms. There was no evidence of medical malpractice, no evidence of sexual assault, and that her surgery had confirmed that she had a developmental condition present from birth, so there was no injury or illness attributable to her performance of her official duties.²⁷

The date when she submitted her Appendix D claim is not known but it was formally denied on 5 June 2015.²⁸ From that date onwards, therefore, even if she genuinely believe the money credited to her account had been the money she was expecting from her Appendix D claim; her retention of that money must be highly questionable.

She claimed that the ABCC's denial of her claim was “*a product of an alleged transnational serious and organized white collar criminal network that colluded and conspired to defraud her of her injury compensation benefit entitlement*”²⁹ and that this was related to the case of the money that the UNFCU was seeking to recover,³⁰ because they “*intended to defraud her of her benefits when it “generat[ed]” a payment of approximately US\$587,000 for what she believed to be compensation for her alleged injury*”.³¹

24 UNDT judgement Likukela ([UNDT/2025/006](#)) [Annex D] Para 11

25 UNAT judgement Likukela ([2017-UNAT-737](#)) [Annex B] Paras 7a & 14

26 UNDT judgement Likukela ([UNDT/2016/180](#)) [Annex A] Paras 3 & 4

27 *ibid.* Para 8

28 *ibid.* Para 10

29 *ibid.* Para 18c

30 *ibid.* Para 29

31 UNAT judgement Likukela ([2017-UNAT-737](#)) [Annex B] Para 15

For that to make any kind of sense, she appears to be arguing that she believed that the ABCC had accepted her claim, which they valued at US\$587,000 and paid it *without actually notifying her of the decision in advance*.³²

While not impossible in theory, anyone with any experience of the UN bureaucracy would have to appreciate that such promptness (to say nothing of such generosity) would be so extraordinary as to be akin to the chances of a flock of multi-colored pigs flying in formation down the East River ...singing the Alleluia chorus - but never let us never use the word 'impossible' lest anyone take offence.

Still, there was just one very minor legal problem with Ms. Likukela's legal argument; *it was unsupported by any evidence*.

The ABCC acted on the professional advice of three medical doctors, and followed the proper procedure, but on the opposing side was Ms. Likukela, who was not a doctor, produced no contradictory medical evidence (and absolutely nothing to substantiate her entirely irrelevant allegations about the UNFCU being part of a transnational serious and organized white collar criminal network) but relied on her feelings and her insistence.

Unfortunately, as any former Detective Senior Superintendant with a Certified Fraud Examiner qualification³³ should know; neither *feelings* nor *insistence* are actually probative.

She lost.

Not to be deterred however, she appealed that decision to the UNAT, and on 26 May 2017 she lost again³⁴ – which was hardly surprising given that she had no legal or logical argument – but that did not stop her filing an application for revision of judgment.

She alleged that there was “*a money laundering scheme to defraud her of her United Nations benefit entitlements for which various United Nations staff members are criminal suspects*.”³⁵

Again, if the information that Ms. Likukela posted on her Linked-In profile³⁶ about her professional experience bears any resemblance to reality, one would expect her to understand what the term 'money laundering' actually means.

The whole purpose of money laundering is to conceal the criminal origin of funds. For there to be 'money laundering' there must be a 'predicate offence'; i.e a criminal act that generated a financial gain – but in this case, the first problem is that it is very difficult to find that criminal activity!

By her own admission, she believed that the money was compensation due to her for her Appendix D

32 UNAT judgement Likukela ([2017-UNAT-737](#)) [Annex B] Para 6

33 [Likukela Linked-In Page](#). [Annex E]

34 UNAT judgement Likukela ([2017-UNAT-737](#)) [Annex B]

35 UNAT judgement Likukela ([2017-UNAT-808](#)) [Annex C] Para 8

36 [Likukela Linked-In Page](#). [Annex E]

claim which, by definition, would not constitute the proceeds of any criminal offence.

She even undertook to give the UNFCU a *repayment* plan when first challenged about the money having been credited as a result of a clerical error³⁷ (which is something that she would not have done if she genuinely believed that it was compensation due to her under her Appendix D claim.)

One would be forgiven for beginning to suspect one of two possibilities; either

- a) whether Ms. Likukela had, as she claimed on her Linked-In profile, actually held a senior position in the Anti Fraud Unit in the Zambian Police, or worked on the Task Force on Corruption in Zambia, or
- b) whether she had done, and was knowing making pleadings she knew to be false and unsupported by any evidence, all in the hope that the Organization would elect to simply reach a settlement with her that allowed her to keep the money.

Either way, her competence to hold any investigative position anywhere, least of all in the UN system, would have to be questionable.

Defamation and other litigation in Zambia

Ms. Likukela's Appendix D saga and the litigation in the High Court of Zambia were not her only involvements with the legal system.

In November 2019, she is alleged to have made defamatory statements about Mr. Gilbert Phiri, a leading lawyer in Zambia³⁸ which resulted in him filing an action against her. He was, at the time, was the Managing Partner of one of the major law firms in the country, but was subsequently appointed Director-General of the Anti-Corruption Commission and after that, became Director of Public Prosecutions.³⁹

It appears that Ms. Likukela alleged that Mr. Phiri had “stolen” her Jeep Grand Cherokee and other household goods to a value of US \$300,000, and done so “*on a false claim, which he took before his relative judge and obtained a default judgement without according her an opportunity to be heard.*”

She also accused Mr. Phiri of abusing the judicial system and somehow “*corruptly inducing the police to support him with aggravated robbery of (her) belongings*” as well as “*violating (her) rights, including (her) right to life, for which he (Mr. Phiri) was also attempting to assassinate (her) through other people.*” She was quoted in the press as saying “*I am walking, suffering and wearing and eating*

37 UNDT Judgement Likukela ([UNDT/2025/006](#)). [Annex D] Paras 8 & 30

38 <https://www.linkedin.com/in/gilbertcphiri/?originalSubdomain=zm>

39 <https://www.npa.gov.zm/index.php/board-members/>

*things I am not accustomed to because Gilbert Phiri robbed me.*⁴⁰

It would be difficult to comment on such an allegation without sounding *judgmental*.

Something else that is mildly curious is that Ms. Likukela is described, in that writ, as “*a woman of unknown profession*.” That is odd, given that the Plaintiff was one of the leading court lawyers in the country and the defendant claims that she in business as a private investigator, trading as **DNL Consultants Ltd.**

Any competent attorney will certainly know who his defendant was before filing a writ, particularly if filing *pro se*, and the very basic background search would involve checking to see if they were a director or shareholder of any business. If DNL Consultants was incorporated in Zambia the plaintiff would have found it, leaving us to wonder if it was a subtle gibe at DNL Consultants Ltd having no paying clients....

Ms. Likukela's dislike for Mr. Phiri appears to relate to her litigation, including the case she filed in the Constitutional Court of Zambia in 2018 as case number 2018/CCZ/0011⁴¹ alleging violations of

- the Zambian Constitution
- the UN Charter
- the Universal Declaration of Human Rights
- the UN Convention on the Privileges and Immunities of the UN
- the UN Convention on Persons with Disabilities
- the MONEY LENDER'S ACT of Zambia, and
- the Banking and Financial Services Act of Zambia.

To that end, she sued:

- the Attorney General and Others (1st Respondent)
- the Law Association of Zambia and Ziale (2nd Respondent)
- the United Nations Federal Credit Union (3rd Respondent)
- the Bank of Zambia and Pacra (4th Respondent)
- Mulenga Mundashi and Company (5th Respondent) *
- Musa Dudhia and Company (6th Respondent)
- the Judicial Complaints Commission (7th Respondent)*
- Gilbert Phiri and PNP Advocates (8th Respondent)*
- Makebi Zulu Advocates (9th Respondent)
- AKM Legal Practitioners (10th Respondent) *
- Brufass Limited (11th Respondent) *

40 'Lusaka lawyer drags woman to court for libel'. Diggers News. Zambia. 22 November 2019. Online at: <https://diggers.news/courts/2019/11/22/lusaka-lawyer-drags-woman-to-court-for-libel/>

41 <https://zambialii.org/akn/zm/judgment/zmcc/2019/25/eng@2019-01-23>

- Michelo, Mwaka and Yvonne Shakantu (12th Respondent) and
- Mubuyaeta Kapinda (13th Respondent).

Those respondents marked with an asterisk appear to have been so contemptuous of Ms. Likukela's petition that they do not appear to have bothered to enter appearance!

Musa Dudhia and Company, the 6th Respondent, is a major Zambian law firm and was acting for the UNFCU. They succeeded in having the petition dismissed, largely on the basis that Ms. Likukela's arguments were incomprehensible - but she was also engaged in various other cases in the High Court; names those court actions identified by case numbers

- 2014/HPC/0057,
- 2014/SCCL/1250,
- 2015/HP/0735,
- 2015/HP/1179,
- 2015/HP/1825 and
- 2016/HP/0415.

The first case on that list, 2014/HPC/0057, was the case filed by the UNFCU for recovery of the \$487,216.20 that Ms. Likukela had failed to return,⁴² but all of the others arose from that same cause.

Ms. Likukela's practice appears to have made a habit of submitting extremely lengthy pleadings alleging fraudulent, deceptive and manipulative litigation practices and denying that she has not accorded her rights. She clearly tried to sue everyone, including her own law firm, the UNFCU's law firm, the judges, the Law Society, and anyone even peripherally involved. Even the janitor at the court building and anyone casually dozing in the public gallery were at risk of being sued as part of some great international conspiracy against her. She was universally unsuccessful in achieving anything other than wasting the courts time and running up expensive legal bills for no purpose.

She was, in short, what is respectfully referred to in some judicial circles as *a bloody nuisance*.

Not only that, there was defamation case pending against her in Zambia, and in March 2020, the plaintiff, Mr. Phiri – who clearly knows his way around the legal system in Zambia⁴³ with a significantly greater degree of professional skill and familiarity than Ms. Likukela – was demanding that the case go to a hearing.⁴⁴

That, from the perspective of any potential future employer, would elevate her from the mundane *bloody nuisance* up to the level of *bloody liability*....

42 UNDT judgement Likukela ([UNDT/2025/006](#)). [Annex D] Para 10.

43 <https://www.linkedin.com/in/gilbertcphiri/?originalSubdomain=zm>

44 “Lusaka lawyer wants his alleged abuse of judicial process case determined on merit.” Online at: <https://diggers.news/courts/2020/03/17/lusaka-lawyer-wants-his-alleged-abuse-of-judicial-process-case-determined-on-merit/>

How such a track record is compatible with any credible description of such a litigant reflecting “*the highest standards of efficiency, competence, and integrity*” is also one of life's great unanswered questions.

That, however, a question that falls to be answered by the Assistant Secretary General of the UN Office of Human Resources (“ASG/OHR”).

What is significant about the history of Ms. Likukela's various legal actions however, is that **ALL OF THIS INFORMATION WAS IN THE PUBLIC DOMAIN.**

There was even more.

It later transpired that she had also submitted complaints the 'African Commission for Human and People's Rights' (an international body whose mandate does not include individual complaints from members of the public⁴⁵) but that OIOS had somehow “interfered” with that body to stop them considering her complaints. She also brought up the “theft” of a job offer from the International Criminal Tribunal for Rwanda (“ICTR”) in 2000 that was then given to somebody else.⁴⁶

One would reasonably expect anyone who claimed to be an investigator, particularly a former senior police officer, to understand the legal definition of “theft” but it is apparent that Ms. Likukela did not.

Believe the Unbelievable

Unbelievable as though it may sound, with the UNFCU's civil action litigation still moving through the Zambian judicial system with all the speed of an elderly tortoise using a walking frame (with Ms. Likukela clearly trying to throw sand in its eyes) on 13 December 2020 - seven years after she resigned from the UN post she held in East Timor - **Ms. Likukela was actually re-employed by the UN!**

She was appointed to a management position in **the Special Investigations Unit** at the MONUSCO Mission in the Congo.⁴⁷ Ms. Likukela's own description of her job is that she was actually recruited as a P-4, step 6 Unit Chief and *Deputy* Chief of the SIU, but in view of her superior's post being vacant; for over a year she was the acting Chief.

What is not in question is that she was in charge of misconduct investigations carried out by the DSS in the largest peacekeeping mission in the UN, and - according to Ms. Likukela's own LinkedIn page - she “*co-ordinated and supervised 43 staff across the DRC and at the UN Logistics Base in Entebbe.*”⁴⁸

Question : *How could the UN possibly have re-employed this person?*

That is a very good question, and one that has doubtless been asked by multiple persons on multiple

⁴⁵ <https://achpr.au.int/en/about/mandate>

⁴⁶ UNDT judgement Likukela ([UNDT/2025/006](#)). [Annex D] Para 43.

⁴⁷ *ibid* Para 12

⁴⁸ [Likukela Linked-In Page](#). [Annex E] Page 3

occasions in multiple places....

Had *anyone* from either the Office of Human Resources (“OHR”), or the Department of Safety and Security (“DSS”) taken any steps to look into whether this candidate was suitable to be employed in any role in the UN; the fact that she had clearly misappropriated half a million dollars from the UNFCU would have become very clear very quickly. The UNDT judgements alone should have alerted them to there being an unresolved issue with UNFCU funds and alerted the Organization to look into these allegations if they were to proceed at all.

It appears that absolutely no one did anything of the sort, leaving up to conclude that either:

- the UN does not, as a rule, conduct any enquiries into a candidate's past performance when they previously worked for the Organization; and/or
- none of the people in the selection process who were aware of her background were unwilling to speak up about it, and/or
- nobody in DSS had the initiative even to enquire about this candidate's character and her competence when she worked in an investigative role in the UNMIT mission seven years earlier.

The UN Department of Management Strategy, Policy and Compliance is not known to be very appreciative of having their attention drawn to the provisions in UN Charter with regard to the employment of staff, despite the fact it is one of their primary functions.

UN Charter. Article 101(3)

“The paramount consideration in the employment of the staff and in the determination of the conditions of service shall be the necessity of securing the highest standards of efficiency, competence, and integrity.”

On the contrary, the manipulation of recruitment exercises to ensure the favored candidate will be appointed is a major sport in the Organization, and is one of the means of protecting and reinforcing the UN “groupthink” culture. No one who might have revolutionary ideas, such as *improving efficiency* or introducing similar bad habits from the outside world should be promoted. After all, as far as the UN is concerned, subversive ideas could bring about the end of civilisation as they know it.....

That may be hysterical UN folklore but it does beg the question of how Ms. Likukela managed to be selected for this post. There would have been a selection panel tasked with recruiting someone for the vacancy and that selection panel would have had to have included several staff members from DSS, and almost certainly from the 'Special Investigations Unit' of DSS, which leaves us with two possibilities, either:

- a) nobody on the panel was sufficiently interested in actually looking into verifying what this woman had said about her professional background or whether she was a fit and proper person

to be even an SIU investigator, far less an SIU Unit Chief; or

- b) somebody in the system knew her but didn't care about her background, so the panel was manipulated into rubber-stamping her selection.

This is why many staff members have no faith in the integrity of the promotion system. There was more than enough information *in the public domain* to raise serious questions about this woman's suitability to be working anywhere in the UN system; and particularly in any investigative role.

It only reinforces the widely held suspicion that most “investigators” in the UN would be unable to find their own *gluteus maximus* in the dark without a light and a diagram....

But wait, there's more.....

On 22 May 2019, Ms. Likukela had reported something to OIOS. She was not a staff member at that time but, given the length of time it takes the administration to fill a vacancy, it is very possible that she had already submitted an application for the SIU post in MONUSCO.

She reported an allegation of “*fraud, racketeering and money laundry*” but, as evidence of that allegation, she attached something she claimed to be a judgement, in her favor, from the High Court in Zambia; it was a (purported) judgement that dismissed UNFCU’s claim against her and directed UNFCU to pay her the sum of US\$110,089,252.00.⁴⁹

Back when I worked in OIOS, (2011 to 2015) the intake procedure in OIOS was one of several things that was 'suspicious' to say the least.

There was (at least initially) an Intake Committee controlled by Deputy Director Michael Dudley (which obviously meant collusion with Conduct & Discipline). That committee recorded no reasons for any of their decisions, so it was a perfect mechanism for diverting any particularly embarrassing allegations into a bureaucratic black hole from whence nothing would ever escape.

Secondly, there was no cross-communication of information. If, for example, someone reported misconduct by a staff member in UNDP; OIOS would simply send a standard rejection letter that did not even explain that they had sent it to the wrong office and to suggest they refer it to UNDP instead. At the same time, as an investigator, I was not permitted to just take one of these misdirected complaints and send it directly to UNDP or whoever else had jurisdiction to investigate it.

OIOS was clearly more interested in controlling what was or was not investigated - and therefore the likely outcome of investigations - than actually addressing the underlying misconduct. Draw your own conclusions...

As expected, OIOS appear to have “assessed” this not to fall within their mandate and simply done nothing more with it, and that would have been the legally and procedurally correct thing to do. What it highlights, of course, is lack of “joined-up thinking” and a glaring lost opportunity.

What is significant about that complaint is that Ms. Likukela attached her fake court judgement, so the UN was (technically) *made aware of it*.

However, a combination of OIOS's summary dismissal of the information and what appears to be gross

49 UNDT Judgement Likukela ([UNDT/2025/006](#)). [Annex D] Footnote No.2 on page 4

negligence in the selection panel meant that nothing was done about it.

As far as the human resources mindset was concerned, the “proper procedure” had been followed: a senior SIU vacancy had been advertised, Ms. Likukela applied for it and was somehow selected as the best candidate. Leaving aside what that implies about all the other candidates for the post; it underscores the fact that the selection panel failed to check if there was anything known about this particular candidate's past performance, which is particularly ironic as Ms. Likulela has actually begun her career with the UN as an OIOS investigator, even though she was just there for one year.

Even if no one in OIOS had any memory of Ms. Likulela, consider the outcome if OIOS had a Case Management system⁵⁰ that they could interrogate for any reference to her name, and they found a copy of what she claimed was a \$100 Million judgement against the UNFCU. Apart from saving the Organization the embarrassment of appointing Ms. Likukela, if OIOS had simply informed the UNFCU that they had been advised of such a judgement.⁵¹

The logical thing for them to do would be to alert their legal counsel in Zambia who, conscious of the fact that falsifying a court judgement is a criminal offence, would at least have the opportunity to sit down with Ms. Likukela in what might be described as a “come to Jesus” meeting and discuss repayment of the money...

Alas, OIOS filed Ms. Likukela's complaint of 22 May 2019 under “F” for forget, so all those opportunities were missed....

Re-Employment

Ms. Likukela took up her post on 13 December 2020, from which it would not be unreasonable to guess that the recruitment process had taken the best part of a year, and given that everything was on a go-slow because of the COVID lockdowns, it is not impossible that she had applied for the post more than a year earlier.

In any event, the day after she had taken up her post, Ms. Likukela's past caught up with her. The previous Chief of the SIU in the MONUSCO mission reported her failure to repay the UNFCU the erroneous transfer to OIOS as possible misconduct.⁵²

There are two possible explanations for this, and those are that either:

- a) the previous Chief of the SIU in MONUSCO was only person in the UN who was aware of Ms. Likukela's past, or

50 OIOS does, in fact, have a Case Management IT system. It is called GoCase and it was developed by UNODC, see <https://gocase.unodc.org/>

51 That, if it had to be paid, would have been particularly uncomfortable, coming at the same time as the UNFCU had incurred losses from Northstar Financial Services (Bermuda) Ltd. See <https://northstarfinancialservicesbermuda.com/>

52 UNDT Judgement Likukela ([UNDT/2025/006](#)). [Annex D] Para 12

- b) her UNFCU clerical “windfall” - and her refusal to pay the money back - was common knowledge, at least among the people she worked with at the time, but that was
- (i) not brought to the attention of anyone involved in the recruitment exercise, or
 - (ii) was never noted in her Official Status File (or any copy thereof) or, if it was, nobody involved in the recruitment exercise bothered to look at it.

Question : *Why was her misappropriation of the money not reported to OIOS earlier?*

The answer to that is, on paper, relatively simple; it is because the loss was *not* suffered by the United Nations, or any of its funds and programs; the loss was suffered by the *United Nations Federal Credit Union*.

Secondly, the funds were transferred to Ms. Likukela's UNFCU account six weeks *after* she had left the Organization, and was therefore a *former* staff member. OIOS only has jurisdiction, (under A/Res/48/218B) to investigate current staff members for misconduct.⁵³

Question : *What happened to Ms. Likukela in the end?*

OIOS completed their investigation and submitted their report on 19 December 2023.⁵⁴ Given that the investigation was initiated by a complaint received on 14 December 2020⁵⁵ that means it took OIOS a mind-boggling **3 years (and 5 days)** to complete a simple investigation into a staff member who – thanks to all the information in the public domain - should never have got through the selection process in the first place.

There is clearly something very wrong with the system here.

To her credit, the ASG/OHR (Martha Helena Lopez) then moved relatively quickly. Ms. Likukela was formally notified of the charges against her on 20 February 2024 and after she had an opportunity to respond, on Monday 20 May 2024 she was informed that her employment was being terminated, for:

- 1) refusing to return and/or make arrangements for the return of \$487,216.20 to the UNFCU;
- 2) providing OIOS investigators with a false judgement from the High Court of Zambia; and
- 3) failing to comply with the High Court of Zambia’s order to return \$487,216.20 to the UNFCU.⁵⁶

That means the whole exercise took **three years and five months** after she took up her post and the OIOS investigation started.

⁵³ Except, of course, when the UN is seriously embarrassed and needs to be seen to be doing *something*, as was the case in the OIOS investigation into the UNRWA staff accused of having participated in the 7 October terrorist atrocities in Israel, when they investigated 10 staff members who had already been were terminated and 2 who were already dead.

⁵⁴ UNDT Judgement Likukela ([UNDT/2025/006](#)). [Annex D] Para 19

⁵⁵ *ibid.* Para 13

⁵⁶ UNDT Judgement Likukela ([UNDT/2025/006](#)). [Annex D] Para 20

Even if she was unceremoniously marched off the property that very day, she was not summarily “dismissed” - she was “separated from service” with monetary compensation *in lieu* of notice, but without any termination indemnity, in accordance with staff rule 10.2(a)(viii).⁵⁷

She was, simply put, fired... *but not as brutally as she might have been.*

What is additionally curious, however, is one of the grounds for which she was terminated - providing OIOS investigators with a false judgement from the High Court of Zambia – is a *criminal offence*! Not only that, but it was so obviously a criminal offence that even without being admitted to practice law in Zambia, any reasonably intelligent person would be able to guess that that would be the case.

THE PENAL CODE ACT
Chapter 87 of the Laws of Zambia
(As amended by No. 26 of 1940)

Section 342. Definition of forgery

Forgery is the making of a false document with intent to defraud or to deceive.

THE PENAL CODE ACT
Chapter 87 of the Laws of Zambia

Section 349: Forgery of judicial or official document

Any person who forges any judicial or official document is liable to imprisonment for seven years.

So, to summarise, despite:

- 1) an OIOS investigation (lasting three years) finding that Ms. Likukela had done something that is a criminal offence in her home country (*and where she was resident when she committed the offence*), and
- 2) the USG/OHR (Martha Helena Lopez) finding that that criminal act was grounds for her to be terminated, and terminating her for three three things she did *prior* to

re-joining the UN, the ASG/OHR considered that she should *still* receive a couple of months salary in lieu of notice ...to compensate for the inconvenience of losing the job that she should clearly never have got in the first place!

The UN has been described as an Organization where the totally unbelievable happens on a daily basis and the physically impossible happens about once a week. Whether or not that can be empirically proven to be an objective fact, the explanation for many of these extraordinary observations can be attributed to the need to protect a particular individual (or a particular department) from *embarrassment*.

When challenged, of course, such occurrences are invariably explained away in terms of just being a *coincidence* – and there are a lot of these strange coincidences in the UN - so it may or may not be a coincidence that :

- 1) the ASG/OHR stood to be most embarrassed by the manifest failures of the selection panel process that have been highlighted by Ms. Likukela's appointment, and
- 2) that the ASG/OHR wanted to go easy on Ms. Likukela in the fervent (if misplaced) hope that she would just go away quietly and allow the whole episode to be quickly forgotten.

⁵⁷ *ibid.* Para 2

Question : *Was OIOS trying to cover something up?*

We know that OIOS completed their investigation in December 2023⁵⁸ and that was more than two and a half years after they had interviewed Ms. Likukela; which is an extraordinary length of time to complete an investigation where the facts were clear and obvious.

Conspiracy theorists might suggest that the reason for that was that they were hoping she would resign so the investigation could just be shelved and forgotten – but that would be pure speculation, and in any event; their investigation *was* (eventually) completed.

Ms. Likukela was based in the MONUSCO mission in the Congo so one would reasonably expect there to be some reference to that investigation in the OIOS Annual Report for investigations in peacekeeping activities for the year ended 31 December that year.⁵⁹

The MONUSCO mission is a large mission and a problematic one from the disciplinary perspective. It is also in a country with a high level of endemic corruption.

With the exception of 2021, when it tied with the mission in the Central African Republic, the MONUSCO mission has always been the mission in which OIOS had the greatest number of misconduct investigations.

MONUSCO: Misconduct investigations initiated by OIOS, 2021 - 2024	
2021	52
2022	76
2023	149
2024	141

One would be forgiven for assuming that the Organization would take extra care over the employment of anyone in an investigative role in Congo, but it is also said that 'assumption' is the mother and father of all great managerial disasters...

Descriptions of investigations as simply “*Misconduct by a staff member*”, “*Prohibited conduct by a staff member*” or, worse “*Disreputable conduct by a staff member*” are singularly unhelpful, but this is a useful device to deflect attention away from investigations that the Administration considers particularly embarrassing and would prefer were not further explored. Curiously enough, that none of the peacekeeping investigations in the period refer to “*misrepresentation in a personal history profile*” but that term was used in the OIOS report for 'regular budget' activities for the year ended 30 June 2023. That was not, however, the reason why Ms. Likukela was terminated.

It may be a coincidence but the unusual description of “*disreputable conduct*” was also used in relation to an investigation completed in 2023 – but there is no way of knowing if this refers to the investigation of Ms. Likukela.

OIOS Annual Reports, sadly, are often little more than an exercise in obfuscation, and full of completely unhelpful information.

58 UNDT Judgement Likukela ([UNDT/2025/006](#)). [Annex D] Para 19

59 OIOS Annual Report for the Year Ended 31 December 2023. Online at: [https://docs.un.org/en/A/78/301\(PartII\)](https://docs.un.org/en/A/78/301(PartII))

Investigations Referred to Other UN Offices

In addition, it is important to appreciate that a very large percentage of the matters reported to OIOS are not investigated by them but are referred to other offices in the UN, or to the Mission in which the misconduct took place.

That is a mechanism, which is not subject to any oversight, and which – whether by accident or by design – often results in reports of possible misconduct being referred to the office that has the greatest vested interest in *not* finding any misconduct. In many of these cases that originated in one of the field missions, if OIOS refers the matter back to the Mission; it will be then be investigated by the local SIU.

No information is released about such referrals, but it is nevertheless possible that any number of reports of possible misconduct about personnel in the MONUSCO mission that were received by OIOS from 2021 to 2024 were then referred back to the mission where Ms. Likukela would have been in charge of the investigation; while she herself was under investigation by OIOS... and when she had a vested interest personal interest in doing everything possible to delay the inevitability of her own termination...

The Zambian Judgement and the Investigation

The High Court in Zambia did eventually turn its attention to case number 2014/HPC/0057 on its docket; the UNFCU's action against Ms. Likukela and held a hearing online on 23 February 2021, the High Court conducted an online hearing when the VP from the UNFCU testified about the funds being credited to her in error. For her part, Ms. Likukela just failed to appear.⁶⁰

Two days later however, (Thursday 25 February) she emailed the Deputy Director of the Judiciary claiming she had been unable to attend, and asking for the case to be decided *without* a hearing.⁶¹

Exactly one week after that - on Thursday 4 March 2021 - she was interviewed by OIOS investigators who asked her about the status of the UNFCU's case against her in the High Court in Zambia.⁶²

Forgetting what she had told the Court the previous week, she explained to the OIOS investigators that she had submitted a counter-claim - as she had indeed done⁶³ - but told them that the UNFCU failed to submit evidence to defend against that counterclaim so she had won a default judgment.

The UNFCU was clearly not sharing information with OIOS, but of course they may not have known that she was back in the employment of the UN or that she was being investigated by OIOS. They would only have known that if OIOS had been in touch with them.

60 UNDT Judgement Likukela ([UNDT/2025/006](#)). [Annex D] Para 14

61 *ibid.* Para 15

62 *ibid.* Para 16

63 *ibid.* Para 11. She alleged in her counter-claim that the UNFCU had “*irregularly siphoned the funds from her account*” and was seeking damages and interest amounting to over \$100 Million

Any reasonably competent investigator would have reached out to the UNFCU and asked to be kept in the loop if there were any developments in the case. In fact, any reasonably competent investigator would have obtained and studied all the pleadings in the litigation before interviewing her. We do not know what the OIOS investigators did in this case, but OIOS is not known for doing what is reasonable, or logical, or even efficient.

In any event, when interviewed by OIOS, Ms. Likukela even provided investigators with a document headed “Default Final Judgement” dismissing the UNFCU case against her and awarding her the sum of \$110,089,252.00. (For the avoidance of doubt; that is one hundred and ten million, and eighty-nine thousand and two hundred and fifty two US dollars.) She told OIOS investigators that while she had drafted it herself, she had filed it with the Zambia High Court, and it was signed by the judge, indicating that the case had been settled in April 2017.⁶⁴

At that point, if OIOS investigators had been communicating with the UNFCU, they might have been able to immediately confront Ms. Likukela with the prior inconsistent statement contained in her e-mail to the Deputy Director of the Judiciary the previous week.⁶⁵ Alas, that was not an option....

In any event, upon being told that she had a judgement for over \$100 Million, one can only wonder what the investigators asked next. Any normal person sitting on a judgement in their favor for any amount of money - far less *a hundred million*, or even *one million* - would immediately set about trying to recover it! It would be interesting to hear Ms. Likukela's explanation for why she had not done so; always assuming it had occurred to the OIOS investigators to ask the question!

That interview was in early March 2021. There then appears to have been an extraordinary delay in following up on that information. OIOS - with the assistance of the DSS Security Adviser in Zambia – contacted the Court in Zambia and ***two years and eight months later*** - on 2 November 2023 - they finally got a reply from the Chief Registrar.

The document that Ms. Likukela had provided to OIOS and that she claimed was a default judgement in her favor was *never* issued by the Court. By presenting it as genuine, Ms. Likukela was giving them something that is commonly known as a ***forgery***.⁶⁶

Forgery is, of course, a criminal offence. Hold that thought.

By the time OIOS was informed that the document they had been shown was not genuine, the High Court in Zambia had issued their real judgement. They had done that 18 months earlier on 13 July 2022, and it was unsurprisingly entirely in favor of the UNFCU. Ms. Likukela had, once again, failed to attend and consequently her counterclaim was summarily dismissed.⁶⁷

Just two months after receiving confirmation that the document that Ms. Likukela had not been

⁶⁴ UNDT Judgement Likukela ([UNDT/2025/006](#)). [Annex D] Para 32

⁶⁵ *ibid.* Para 15

⁶⁶ *ibid.* Para 18

⁶⁷ UNDT Judgement Likukela ([UNDT/2025/006](#)). [Annex D] Para 17

genuine, OIOS wrapped up this long saga and, 29 December 2023, finally submitted their report to OHRM.⁶⁸ It had only taken them **3 years (and 5 days)**.

Disciplinary Efficiency in the UN

The UN is not known for moving with the speed of a thousand gazelles. In fact, the UN is not known for moving with any kind of 'speed' at all!

Question : *Why did the investigation take so long?*

The simple, and facetious answer, has to be because nobody was very interested in completing it any quicker. Article 101(3) of the UN Charter refers to it being necessary for staff to demonstrate the highest standards of “efficiency.” In reality, “efficiency” in the UN - *if it ever existed* – went the way of the dodo bird a great many years ago.

If any reasonably competent OIOS investigator had properly assessed the complaint received from the former SIU Unit Chief in MONUSCO on the second day after Ms. Likukela took up her post (i.e. 15 December 2020) they should have been able to determine:

- Fact 1:** That she had misappropriated nearly half a million dollars from the UNFCU after that money was credited to her account in error.⁶⁹
- Fact 2:** That she had given a written undertaking to the UNFCU to repay that money but had failed to do so.⁷⁰
- Fact 3:** That the UNDT had confirmed the decision of the ABCC that she was not entitled to compensation for any Appendix D claim for an alleged work-related injury.⁷¹
- Fact 4:** That she clearly blamed absolutely everyone – including her own legal counsel, legal counsel for the UNFCU, the Zambian Law Society, the High Court judges and numerous other persons; but, even in an extraordinarily lengthy document, was never able to articulate precisely what she was accusing them of.⁷²
- Fact 5:** That her defence to the High Court action in Zambia was based on an argument that had

68 *ibid* Para 19

69 That information (which corroborates the initial report of possible misconduct received by OIOS) was in the public domain. It is referred to in paragraph 29 of UNDT judgement [UNDT/2016/180](#) issued on 30 September 2016.

70 That information should have been available after initial contact with the UNFCU and a discussion with the UNFCU Vice President for Security and Investigations or their General Counsel.

71 That information was in the public domain. It was the subject of UNDT judgement [UNDT/2016/180](#) and that was confirmed by the UNAT in [Likukela \(2017/UNAT/737\)](#) and again in [2017/UNAT/808](#).

72 That information was in the public domain. It is available online at <https://zambialii.org/akn/zm/judgment/zmcc/2019/25/eng@2019-01-23> See page R8, which also refers to a Supreme Court judgement having been issued in the case of 'Dorah Namasiku Likukela -v- United Nations Federal Credit Union'

already been dismissed by the UNDT.⁷³

Fact 6: That she was being sued for defamation by a leading lawyer in Zambia she accused of theft.⁷⁴

Any reasonably competent investigator should therefore not have taken more than a few days to establish enough of a case to warrant a formal investigation into Ms. Likukela, for:

1) **Fraud**, which the UN defines⁷⁵ to be:

2) *“Any illegal act characterized by deceit, concealment, or violation of trust to obtain money, property, or services; to avoid payment or loss of services; or to secure personal or business advantage,”* and

3) violating **Staff Regulation 1.2(b)**, which states:

“Staff members shall uphold the highest standards of efficiency, competence and integrity. The concept of integrity includes, but is not limited to, probity, impartiality, fairness, honesty and truthfulness in all matters affecting their work and status.”

There was, in addition, a more immediate management problem. Ms. Likukela had been employed to be in a managerial role in the Special Investigation Unit, but her legal pleadings clearly cast very serious doubt on her ability to identify acts of misconduct or write a coherent investigation report.

That ought to have been a matter of considerable importance to DSS and the MONUSCO mission, as she was being employed in a post in which she would be investigating (and overseeing investigations carried out by junior SIU staff) into allegations of possible misconduct by *other UN staff members*; almost all of which whom would be under investigation for misconduct much less serious than a half million dollar fraud!

The credibility and the integrity of every SIU investigation in MONUSCO were at stake. If her failure to repay the money owed to the UNFCU became known, it is very difficult to see how any staff member in MONUSCO could be expected to have any confidence in any investigation carried out by the SIU, or – by extension – by any other office in the UN system, and that includes OIOS.

OIOS would also be accused of negligence if any reports of possible misconduct in MONUSCO were to be referred to the mission for investigation.

The assessment of the report of possible misconduct implicating Ms. Likukela was much more than a simple “staff misconduct” issue for OIOS. It should also have been a matter of equal concern to the

⁷³ That information should have been available after initial contact with the UNFCU and a discussion with the UNFCU Vice President for Security and Investigations or their General Counsel.

⁷⁴ 'Lusaka lawyer drags woman to court for libel'. Diggers News. Zambia, 22 November 2019. Online at: <https://diggers.news/courts/2019/11/22/lusaka-lawyer-drags-woman-to-court-for-libel/>

⁷⁵ OIOS '[Key Oversight Terms](#)'.

Department of Management, Strategy, Policy and Compliance (“DMSPC”), the Department of Safety and Security (“DSS”), *and* the MONUSCO mission to address, because it should have been glaringly obvious to anyone in any “leadership” role that it was important that Ms. Likukela be transferred out of her post straight away.

One can only hypothesize as to the reasons for the apparent lack of action, but there are a number of possibilities;

- In the absence of any written policy or procedure to be followed, nobody at any “managerial” level was able or willing (or even intellectually capable) of making an independent decision on their own initiative;
- DMSPC (and specifically the OHR) may not have been aware of the problem because no one in OIOS had the intellectual capacity to appreciate that there might be a problem with investigations in the UN's largest peacekeeping mission, in a country recognized to have a high level of corruption, being under the control of someone they were simultaneously investigating for financial fraud, and *therefore inform them*;
- Despite knowing that Ms. Likukela was under investigation, no one in DMSPC (specifically no one in OHR) had the intellectual capacity to appreciate that her remaining as Chief of the JIU in MONUSCO while being investigated for fraud might be problematic in any way;
- DMSPC (specifically OHR) was quite happy for Ms. Likukela to remain in her post as Chief of the JIU, knowing that the investigation gave them leverage so she could be relied upon to succumb to whatever pressure that MONUSCO might apply to her...

As for DSS's excuse; that is an even bigger unanswered question, because it was the former SIU Chief in the MONUSCO mission who reported the matter to OIOS, so either

- a) he was the *only* living soul in DSS to know about that Ms. Likukela was being pursued by the UNFCU for the return of the money and that she had just been re-employed by the UN; or
- b) *other* DSS staff knew about it too....

It is also significant that the complainant was the former SIU Chief in the MONUSCO mission and that he only found out about Ms. Likukela's appointment after she started. That would seem to suggest that he was not on the selection panel that appointed her, so he was probably no longer deployed in the MONUSCO mission himself and that would mean that he received the information from a third party.

None of these reflects well on the management abilities of the UN, but conundrums of this type are far from unusual in the UN, and invariably lead to the same unanswered question; ***are these people corrupt or are they merely ignorant?***

The mystery here is how anyone, in any office of either the MONUSCO Mission or the UN Secretariat,

could have seriously believed that there was nothing wrong with Ms. Likukela being left in charge of investigating anything.

Question : *Is it possible that Ms. Likukela was promptly reassigned from her post and did not, in fact, act as Chief of the Special Investigation Unit?*

Given the limited amount of official information from which any conclusions about Ms. Likukela's employment might be drawn, it is - in fairness - important to consider the possibility that Ms. Likukela was actually removed from the SIU position.

The judgement is silent on the fact but that must be considered unlikely, however, for three reasons:

1. On her Linked-In page (which could, of course be completely incorrect) Ms. Likukela not only appears to have taken up the post for which she was recruited but claims to have been (temporarily) **promoted** on her first day. She states;

“I was initially recruited as a P-4/6 Chief of Unit-Investigations and Deputy Chief of the Special Investigations Unit, in MONUSCO. However, when I first reported for work, I was assigned as the Interim Chief of the SIU, a P-5 Chief of Section position, for 13 months, in which I had daily control and supervision of all operations of the SIU in MONUSCO, from 14 January 2021 to 2nd April 2022, when the incumbent was recruited.

During such time, I coordinated and supervised investigations of approximately 43 staff members across the DRC and at the UN Logistics base in Entebbe (UNESB); and I still do the same job in my capacity as Deputy to the Chief of SIU and as OIC of the SIU, when the Chief is out of the mission area.”⁷⁶

2. There is no evidence on the UNDT public website of Ms. Likukela having challenged any decision to reassign her to a different post, and while that does not disprove a negative; the evidence of her litigation in Zambia indicates that she has little regard for the longer term consequences of litigation (or indeed for the court procedure or even the court's jurisdiction) but she was certainly what legal counsel might describe as a “frequent flyer”... so if she had been reassigned, one might have expected her to challenge it
3. If there was any political will to dismiss this staff member, it would not have taken the Organization *three and a half years* to do so!

Question : *Was there an alternative?*

It should have been very obvious to OIOS very quickly that it was important that this staff member not be employed in an investigative role, but that is a management issue more than a disciplinary one.

Upon appreciating this – if, indeed, OIOS management understood the first thing about the expected

⁷⁶ [Likukela Linked-In Page](#). [Annex E]

standards of efficiency, competence, integrity or, for that matter, management – one would have to consider the importance of liaising with DMSPC and DSS to consider how best to proceed *in the interests of the Organization*. All that would require would be a modest ability to think strategically as opposed to being unimaginatively hidebound by the procedures that pass for a substitute for independent thought.

This was a case of someone who was the subject of a report of possible misconduct the day after she started – and who should clearly never have been employed in the first place, so one might expect someone in a management position to give some thought to how to solve the problem as expeditiously and *as economically* as possible.

That should not have been difficult. Bearing in mind that a UN staff member can (*under normal circumstances*⁷⁷) only be fired once; there was an obvious answer in Staff Rule 9.6;

UN Staff Rule 9.6
Rule 9.6 Termination
Definitions
(a) A termination within the meaning of the Staff Regulations and Rules is a separation from service initiated by the Secretary-General.
...
Reasons for termination
(c) The Secretary-General may, giving the reasons therefor, terminate the appointment of a staff member who holds a temporary, fixed-term or continuing appointment in accordance with the terms of the appointment or on any of the following grounds:
...
(v) If facts anterior to the appointment of the staff member and relevant to his or her suitability come to light that, if they had been known at the time of his or her appointment, should, under the standards established in the Charter of the United Nations, have precluded his or her appointment;
...

If OIOS had assessed the initial complaint properly, it should have been possible to make a case for termination under Rule 9.6(c)(v) within a week or so. Facts that were “*anterior to her appointment*” and very relevant to her suitability to manage any kind of investigation had certainly come to light.

If the selection panel had been aware of the facts about how Ms. Likukela had acted following the clerical error that credited the money into her UNFCU account, that information should have caused them to exclude her as a candidate.

Even overlooking any question of her integrity; her conduct in both the civil cases in Zambia and her

⁷⁷ The exception appears to be if they work for UNRWA, of course, where staff members can be terminated after they are dead, and can also be terminated twice for the same offence without being re-employed in the interim.....

earlier Appendix D case in the UNDT show she did not appear to understand the simple premise that assertions unsupported with any evidence and of no value whatsoever. She was clearly unable to articulate (far less offer any proof whatsoever of) specifically what she claimed to be an international criminal conspiracy. Given the evidence in the public domain, her ability to conduct any kind of investigation would have to be in serious doubt, and her inability to write coherently would have to have serious implications for her ability to write or edit the report of an investigation carried out by anyone else.

She was, of course, **not** terminated under Staff Rule 9.6 – even though, with even just a modest amount of something called “efficiency” - that could have been done very quickly. Instead, it was three months before OIOS even interviewed her⁷⁸ - so in the end, the delays in this investigation meant she continued to draw a salary for three and a half years.

Throwing bad money after good?

In those three and a half years, Ms. Likukela proceeded to earn over half a million dollars in salary and benefits from the UN – which was even more than she had misappropriated from the UNFCU!

- ➔ **This case raises so many questions that an external investigation into this individual's recruitment by the UN, and her employment in the MONUSCO mission, is clearly warranted here.**

Looking at this matter objectively, this person's employment appears to be one of two things, either

- a) a sad indictment of the entire staff selection process in the UN, or
- b) reasonable grounds to believe that there was something so suspicious about *this particular* recruitment as to warrant (yet another) external investigation.

The fact that Ms. Likulela was apparently given a promotion to an acting P-5 position immediately after she took up her post, combined with the fact that the Organization appears to have shown no interest in either removing her from an investigative role, and OIOS clearly being uninterested in moving quickly with the investigation, combine to support a reasonable belief in the invisible hand of corruption pushing the selection process.

Such a conclusion would **not** be a once-in-a-lifetime experience in the UN....

Unanswered Questions

The Likukela case raises so many unanswered questions that it is difficult to know where to begin!

Question : Did the UNFCU conduct any kind of investigation into Ms. Likukela's background after it became apparent that she would not repay the money voluntarily?

There are a couple of reasons why this question is relevant.

⁷⁸ UNDT Judgement Likukela ([UNDT/2025/006](#)). [Annex D] Para 16

The UNFCU raised action in the High Court of Zambia on 5 February 2014⁷⁹, which was four months after Ms. Likukela has promised to send them a “repayment plan.” By that time it was obviously very obvious that they had no alternative but to take legal action to get it back.

As that became increasingly obvious, any reasonably competent banker – or indeed absolutely anyone capable of rational thought – would be wondering what she was doing with the money. She may well have been squandering it on a very lavish lifestyle, but there is a limit to the number of Kobe beef and caviar dinners and bottles of Dom Perignon one person can get through. There are other things that they might spend the money on, like expensive motor cars and luxury homes, which should have been of more interest to the UNFCU as those are assets that might be seized in settlement of their claim.

At the end of the day, a court judgement for half a million dollars is only of any value if that amount of money can be recovered from the defendant.

To do that, it would have been prudent of the UNFCU to be at least trying to keep abreast of what Ms. Likukela was doing with the money; what properties she was buying, what cars she was driving and finding out anything they could about where she might be investing her money. She was from Zambia, but it would be equally important to know what other countries she had connections to and where she might buy property.

If the UNFCU had been interested in doing that, it would have been reasonable of them to contact the UN to speak to anyone who might have any information that could prove useful, and there were two reasons why would be reasonable for them to speak to OIOS.

The first is because she used to work in OIOS, and the second is because if, as the UN likes to claim, OIOS is “*the highest investigative office in the UN*” it would make sense to ask - even informally - if they could assist or even advise on how they might go about conducting an asset tracing investigation.

I have a particular professional interest in this subject; I began my career as an investigator doing transnational corporate investigations and asset-tracing in fraud cases before focussing on money laundering issues.

That said, the irony here is that if the UNFCU had reached out to OIOS at that time, OIOS was never going to ask for my input on how to tie a shoe-lace far less anything investigative; to do it would contradict their *politically approved* narrative.....

More importantly, the reason Ms. Likukela was separated from the UN at the end of June 2013 was because she had been working in UNMIT mission in East Timor, and that mission *closed down*.⁸⁰ Most people who work for the UN want to remain working for the UN, so most people who are separated from the UN because the mission they had been working in will apply for *other* UN vacancies!

Here there was a situation where the UNFCU had information about an individual who it would be

79 UNDT Judgement Likukela (UNDT/2025/006). [Annex D] Para 10

80 UNDT Judgement Likukela (UNDT/2025/006). [Annex D] para 3. See also https://en.wikipedia.org/wiki/United_Nations_Integrated_Mission_in_East_Timor

reasonable to assume would probably be applying for other UN jobs, if not immediately then at some time in the future.

If, therefore, the UNFCU's information had been shared with the UN Secretariat, it was of such importance that any reasonably competent individual would have made a note of it in Ms. Likukela's Official Status File. Had such a note existed, it could have saved the UN a huge amount of trouble later.

Question : *Why was the misappropriation of the UNFCU funds not pursued as a criminal case?*

That is the question most deserving of the grand prize!

In the beginning, it was clear that the UNFCU viewed this as a simple indebtedness recovery exercise, as it was. Ms. Likukela's defence to their court action however relied on her belief – or, at least, *her assertion* – that the \$587,428.65 was money she expected from the UN for her separation benefits, her appendix D claim and reimbursement of related travel and medical expenses.⁸¹

The challenge therefore, was for the UNFCU to deny those assertions, which they could do by official documents from the UN, but that does not mean that those defences would have Ms. Likukela's counterclaim summarily dismissed. They would still have to prove their own case, and that involves waiting for the case to come to trial, which is not a speedy process.

The existence of a civil case, however, is a separate matter from a criminal case, so the question to be considered is whether there was probable cause to believe that by refusing to repay the money that had been credited to her in error, Ms. Likukela had *also committed a criminal offence*.

If a criminal complaint against her could be substantiated – a question that can only be answered by reference to the Penal Code of Zambia⁸² – that opens up a whole new dimension from the perspective of the UNFCU's attempts to recover their money.

Experience has shown that there are two factors to be considered in this scenario. The first of these is that defendants tend to show a greater willingness to settle when the fear of criminal prosecution and possible imprisonment is uppermost in their mind. The corollary, however, is that plaintiffs willingness to make a criminal complaint is indirectly proportional to the embarrassment factor and the adverse publicity that will accompany any press reporting of a conviction.

The two legal options should, of course, run in parallel; particularly as the recover of stolen or misappropriated assets is not an objective of the criminal investigation.

In this particular case, however, Ms. Likukela committed herself to an explanation for her actions when she responded to the UNFCU's action,⁸³ so could not easily argue anything different if charged with a

81 UNDT Judgement Likukela ([UNDT/2025/006](#)). [Annex D] Para 11

82 <https://www.zambialaws.com/consolidated-statutes/principal-legislation/260-chapter-87penal-code-act>

83 UNDT Judgement Likukela ([UNDT/2025/006](#)). [Annex D] Para 11

criminal offence. She could however, claim that she was mistaken as to why the money was credited to her account, and '*mistake of fact*' at least provides an affirmative defence to a criminal charge.

The 'mistake of fact' defence would only require Ms. Likukela to prove that she *honestly* and *reasonably* believed that the UN would pay her half a million dollars in separation benefits and in settlement of an Appendix D claim *without any documentation to back it up*.

**THE PENAL CODE ACT
Chapter 87 of the Laws of Zambia**

Section 10. Mistake of Fact

A person who does or omits to do an act under an honest and reasonable, but mistaken, belief in the existence of any state of things is not criminally responsible for the act or omission to any greater extent than if the real state of things had been such as he believed to exist. The operation of this rule may be excluded by the express or implied provisions of the law relating to the subject.

That 'mistake if fact' defence would not fly however, if after affidavit evidence and official documents from the UN proved that her *honest and reasonable* belief was actually mistaken, she *still* failed to repay the money!

A simultaneous criminal investigation would also mean that it was likely the civil case would be sisted while the criminal case was investigated, but if the UNFCU's objective was simply to have the money returned, it put the initiative squarely on Ms. Likukela.

A simultaneous criminal investigation would also mean that it was likely the civil case would be sisted while the criminal case was investigated, but if the UNFCU's objective was simply to have the money returned, it put the initiative squarely on Ms. Likukela. The 'mistake of fact' defence was there for her to use. If she didn't want to do so, she could take her chances with the criminal case but the best she could hope for would be to delay the inevitable.

To add to her concerns, if Ms. Likukela understood how the law on money laundering was applied, as her resume suggests she would, that would make it difficult to do anything with the money...

Be that as it may, it remains speculation as we are not privy to the UNFCU's decisions in the matter, and OIOS cannot be faulted for an option that the UNFCU failed to pursue.

Question : *Now that the UNDT action is over; is there a reason why this matter should not be referred to the national authorities in Zambia for appropriate criminal action?*

This may not be uppermost in anyone's mind, particularly if the UNFCU has, in fact, recovered all of the money as per the final judgement of the Zambian court (which they may or may not have done) but it opens a door into the UN's attitude towards the criminal prosecution of errant staff members.

Criminal prosecutions are not exclusively for the purpose of imposing a penalty to punish the offender, the fact that offenders are prosecuted, and are known to be prosecuted, serves as a powerful disincentive to others who might be contemplating the same crime.

In this particular case, the OIOS investigation uncovered evidence of a forged judicial document;

something specifically addressed in Section 349 of the Penal Code of Zambia⁸⁴, and punishable by up to seven years imprisonment.

It was, of course, the Zambian court that actually provided the evidence that the document Ms. Likukela told investigators was a final court judgement was in fact a forgery. In such a scenario, the UN's simple answer to the question is that the Zambian authorities already know about it, so if they wish to act on it, that is their prerogative and there is nothing the UN can do about that.

The UN delights in few things more than a game of bureaucratic pass-the-parcel that serves as a legitimate justification for *doing nothing*.

That also fails to appreciate the bigger picture, and how the 1947 Convention of Privileges and Immunities of the UN facilitates an attitude of impunity in the Organization.

Financial fraud, while serious, is not (*with some notable exceptions*⁸⁵) recognised as the most prevalent or the most egregious criminal activity encountered in the UN. That dubious honor probably lies with the sexual abuse of women and girls in the various UN field missions.

The UN's practice however – even in the most egregious and obvious cases of violent or statutory rape - is to delay referring the matter to the national authorities for criminal investigation until after the UN has exhausted its slow moving administrative investigation, by which time, the offender has been terminated so is no longer a UN staff member and if one thing is absolutely guaranteed it is that they will no longer be in the country where the offence took place.

In 2018, with regard to several statutory rape cases where the UN *had*, in fact, referred the subject to the appropriate national authorities for criminal investigation; the UN Office of Legal Affairs claimed that they could not provide the **date**

THE PENAL CODE ACT
Chapter 87 of the Laws of Zambia

Section 345: Intent to defraud

An intent to defraud is presumed to exist if it appears that, at the time when the false document was made, there was in existence a specific person ascertained or unascertained capable of being defrauded thereby, and this presumption is not rebutted by proof that the offender took or intended to take measures to prevent such person from being defrauded in fact, nor by the fact that he had or thought he had a right to the thing to be obtained by the false document.

THE PENAL CODE ACT
Chapter 87 of the Laws of Zambia
(As amended by No. 26 of 1940)

Section 342. Definition of forgery

Forgery is the making of a false document with intent to defraud or to deceive.

THE PENAL CODE ACT
Chapter 87 of the Laws of Zambia

Section 349: Forgery of judicial or official document

Any person who forges any judicial or official document is liable to imprisonment for seven years.

84 Online at: <https://www.zambialaws.com/consolidated-statutes/principal-legislation/260-chapter-87penal-code-act>

85 See the case of Vitali Vanshelboim. ('*An inside look at the UNOPS scandal.*' Devex. 21 Jun 2022. Online at: <https://www.devex.com/news/devexplains-an-inside-look-at-the-unops-scandal-103265>. '*Former UN Official Ordered to Repay \$58.8 Million Lost in Deals.*' Newsweek. 9 October 2024.' Online at: <https://www.newsweek.com/united-nations-former-official-ordered-repay-58-million-1966597> And many many others....)

when such a referral was made, because doing so might somehow jeopardize “*the integrity of ongoing action by the Organization in these cases, as well as any other investigations or potential criminal proceedings initiated by Member States*”.⁸⁶

That simply does not make sense:

- 1) The Organization will, by definition, have no “*ongoing action*” in respect of a staff member who has already been terminated (for an offence committed several years earlier), and
- 2) it is tantamount to impossible to imagine how any “*investigations or potential criminal proceedings*” initiated by the national authorities could possibly be impacted by knowing the date on which the UN referred the case to them.

The logical conclusion is simple and obvious; the UN would be embarrassed by public disclosure of the date as that would prove the futility of the referring sex offenders for national authorities under the current procedure.

In practice therefore, even when the UN does waive a staff members immunity, (as the Secretary-General has the right and the duty to do⁸⁷) the chances of the offender being extradited from his home country back to the country of his UN Duty Station where the offence took place are minimal.

The already cash-strapped and under-resourced law enforcement agency in the Congo (or wherever else they may have been deployed) will be faced with the practical problem of having to seek the extradition of a subject so they can even *begin* an investigation.

The complexities of such an exercise would be further complicated by the subject probably being able to resist his extradition on the basis of patent flaws and shortcomings in the UN investigation report on which his extradition request is based.

In addition, attempting to extradite a former UN staff member from his home country back to a Third World country like Congo, where, among the many human rights abuses, international concerns about “*torture or cruel, inhuman, or degrading treatment or punishment by the government; involuntary or coercive medical or psychological practices*” conditions in prisons are described as “*harsh and life-threatening*.”⁸⁸ It will also put the former staff member in the very ironic position of being able to rely on all the arguments the UN offered in defence of Julian Assange who was in a not entirely dissimilar position of resisting extradition from the UK after being accused of a sexual offence in Sweden.⁸⁹

Ms. Likukela is not, however, in that position. She is a Zambian national, resident in Zambia, and the false document she provided to OIOS investigators was prima facie proof of her having committed a

86 Peter A Gallo. 'The Protection of Child Sex Offenders by the UN.' 17 April 2028. Online at: <https://peteragallo.com/wp-content/uploads/2019/05/HtC-UN-protection-of-Child-Sex-Offenders-17-Apr-18.pdf>

87 Convention on Privileges and Immunities of the UN, Article 20. Online at: <https://www.un.org/en/ethics/assets/pdfs/Convention%20of%20Privileges-Immunities%20of%20the%20UN.pdf>

88 US State Department 'Report on Human Rights Practices in the Democratic Republic of Congo' 2023. Online at <https://www.state.gov/reports/2023-country-reports-on-human-rights-practices/democratic-republic-of-the-congo/>

89 See (1) UN Working Group on Arbitrary Detention. Opinion No. 54/2015. 5 Feb 2016. Statement Online at: <https://www.ohchr.org/en/statements-and-speeches/2016/02/working-group-arbitrary-detention-deems-deprivation-liberty-mr> (2) Interview with Alice J. Edwards, UN Special Rapporteur on Torture. 16. Feb 2024. Online at: <https://news.un.org/en/interview/2024/02/1146567> (3) Press Briefing by Agnes Callamard, UN Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions. 11 Apr 2019. Online: <https://news.un.org/en/story/2019/04/1036491>

criminal offence under the Penal Code of Zambia.

The UN's failure to press the Zambian authorities to bring criminal charges against her, and indeed the Organizations reluctance to do this in other cases of serious misconduct, is indicative of abuses of the 1946 Convention on Privileges and Immunities – and that only reinforces the culture of impunity that exists in the UN system.

Conclusion

The foregoing illustrates a number of areas that should be of concern to Member States. In addition to what appear to be institutional inefficiencies and shortcomings in:

- a) OHR and the recruitment process, and
- b) OPIOS and the investigation of misconduct

in the UN, it highlights the **culture of impunity** that the UN has created and that venal staff members exploit for their own benefit.

Ms. Likukela's assertion that she believed the money was due to her in settlement of an Appendix D claim is simply **not credible**. When faced with the extraordinary windfall she found in her UNFCU account, the fact is that she did not question it but immediately began spending it.

We can only speculate as to her mental process but it is not impossible that part of her thought process involved the question: *what are they going to do about it?*

Even when the UNFCU initiated legal action against her, we cannot exclude the possibility that Ms. Likukela's plan (if, indeed, she had one) was to drag the process out for as long as possible so the plaintiff ran up expensive legal bills and then settle for 50 cents on the dollar.

There is a widespread belief in the UN that **the worst thing the UN can do to a staff member is dismiss them**; and that, more often than not, is the reality. Criminal accountability is so unlikely as to be of negligible concern, and this must be a factor that the Organization has wilfully ignored in their various (unsuccessful) efforts to prevent sexual exploitation and abuse.

After having successfully kept the UNFCU tied up in unproductive litigation for seven years, how Ms Likukela was able to be selected for *another* US position, particularly a position in an investigative role, is a **serious indictment of the staff selection process in the UN, and a scandal deserving of an external investigation**.

The suspicion has to be that the Hiring Manager or someone else involved in the process wanted her to have the job and therefore ensured that she was the candidate recommended for the post.

Thereafter, the reason Ms. Likukela was **not** dismissed Staff Rule 9.9(c)(v) should also be investigated.

Similarly, the fact that OIOS would take **three years** to complete the investigation of a staff member who should never have been re-employed in the first place is not only scandalous, it is **indicative of negligence** on the part of OIOS management. This is far from the only investigation that raises serious questions about the level of competence in OIOS, but there is a long history of senior staff in the Investigation Division being protected from any form of accountability when misconduct complaints have been made against them.

An external, and genuinely *independent*, investigation into the performance of the investigative function in the UN is warranted.

Peter A Gallo.
21 April 2025

Tailpiece

Question : *Did the UNFCU ever get their money back?*

That is a very good question.

We do not know.

Even if they did, it also begs the question of how much it actually cost the UNFCU to recover the money. Responsibility for *that*, however, cannot be attributed to the UN Secretariat.

Annexes

A the 2016 UN Dispute Tribunal judgement UNDT/2016/180

Online at: <https://www.un.org/en/internaljustice/files/undt/judgments/undt-2016-180.pdf>

B the first 2017 UN Appeals Tribunal judgement 2017/UNAT/737

Online at: <https://www.un.org/en/internaljustice/files/unat/judgments/2017-UNAT-737.pdf>

C the second 2017 UN Appeals Tribunal judgment 2017/UNAT/808

Online at: <https://www.un.org/en/internaljustice/files/unat/judgments/2017-UNAT-808.pdf>

D the 2025 Dispute Tribunal judgement; UNDT/2025/006

Online at: https://www.un.org/internaljustice/oaj/sites/default/files/2025-03/undt-2025-006_likukela_publication_0.pdf

E Dora Likukela – LinkedIn page

F Dora Likukela – approximate salary calculation



UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/GVA/2015/169
Judgment No.: UNDT/2016/180
Date: 30 September 2016
Original: English

Before: Judge Rowan Downing

Registry: Geneva

Registrar: René M. Vargas M.

LIKUKELA

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

JUDGMENT

Counsel for Applicant:

Self-represented

Counsel for Respondent:

Steven Dietrich, ALS/OHRM, UN Secretariat

Introduction

1. By application submitted via email on 24 August 2015 and completed on 27 November 2015, the Applicant, a former investigator (P-3) with the United Nations Integrated Mission in Timor-Leste (“UNMIT”), contests the decision by the Secretary-General to uphold the recommendation of the Advisory Board on Compensation Claims (“ABCC”) rejecting her claim for compensation under Appendix D of the Staff Rules (“Appendix D”) for alleged injuries incurred during the course of a medical examination conducted at UNMIT on 3 August 2011.

2. The Tribunal notes that this matter involves a detailed account of the Applicant’s medical condition. To protect her right to privacy, the Tribunal finds it necessary that this information, which is of no public interest, be kept confidential. The Tribunal, therefore, hereby directs its Geneva Registrar, pursuant to art. 11.6 of its Statute, to redact any reference to the Applicant’s medical condition from the version of the decision that will be made available to the public.

Facts

3. On 3 August 2011, the Applicant attended a consultation with UNMIT Medical Services Section. The examination revealed that [REDACTED]

[REDACTED]
[REDACTED].

4. On the same day, the Applicant reported to the UNMIT Security Special Investigations Unit that she had been victim of an incident during her medical examination [REDACTED]

[REDACTED].

5. On 31 August 2011, the Applicant underwent an ultrasound at Darwin Private Hospital; [REDACTED].

6. On 11 July 2012, [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED].

7. On 26 June 2013, the Applicant was admitted to Mediclinic Welcare Hospital for diagnostic surgery; [REDACTED]
[REDACTED].

8. By memorandum of 10 March 2015, Dr. R. of the Medical Services Division, New York, in consultation with the Medical Director, advised the ABCC as to whether the Applicant's condition could be considered to be directly related to the medical examination that was conducted on 3 August 2011. He stated in his report that "the Medical Director ... confirmed that there [was] no evidence of medical malpractice and, in this case, no evidence of sexual assault". Regarding the Applicant's specific claims, Dr. R. found that:

- a) The practice of [REDACTED] to [REDACTED] is reasonable and appropriate medical practice for a patient presenting with [REDACTED];
- b) No evidence was found of [REDACTED]
[REDACTED]; and
- c) The pathology examination following surgery confirmed that [the Applicant] had a developmental condition (present from birth) that was consistent with the findings, [REDACTED]
[REDACTED].

9. On 12 May 2015, the ABCC, at its 483rd meeting, reviewed the Applicant's claim for compensation under Appendix D. Having considered the medical reports and the advice of the Medical Director, Medical Services Division, the ABCC recommended that "[the Applicant]'s request that her injuries/illness [REDACTED]
[REDACTED] be recognized as service-incurred be denied".

10. On 5 June 2015, the Secretary-General approved the above-mentioned recommendation to deny the Applicant's claim.

11. On 1 July 2015, the Applicant filed a request for management evaluation concerning the “ABCC recommendation for [her] injury compensation claim”.

12. By letter dated 6 July 2015, the Management Evaluation Unit advised the Applicant that her request was not receivable in view that the ABCC is a technical body and, therefore, no request for management evaluation was required pursuant to staff rule 11.2(b).

13. On 24 August 2015, the Applicant submitted her application to the Tribunal by email. She completed it on 27 November 2015.

14. Given the Applicant’s inability to access the Tribunal’s eFiling portal (“CCMS”), the Registry uploaded the application in CCMS on 8 December 2015, and served it on the Respondent on the same day.

15. The Respondent submitted his reply on 6 January 2016.

16. On 11 January 2016, as well as on 15, 17, 19, 21 and 22 February 2016, the Applicant submitted comments and amended comments to the reply, together with nine additional documents, with leave from the Tribunal.

17. After consultation with the parties, the Tribunal decided that it was appropriate to adjudicate the matter based on the papers without an oral hearing.

Parties’ submissions

18. The Applicant’s principal contentions are:

- a. She was injured during the course of a medical examination conducted at UNMIT on 3 August 2011;
- b. The ABCC erred in finding that there was no sufficient evidence to support her allegations that she sustained an injury while serving at UNMIT;
- c. The ABCC recommendation is a product of an alleged transnational serious and organized white collar criminal network that colluded and conspired to defraud her of her injury compensation benefit entitlement;

- d. The Applicant seeks the following remedies:
- i. “Settlement” of her compensation claim under Appendix D and “indefinite maternal health care by the Organization”;
 - ii. Compensation for her “[constructive] dismissal from the [United Nations]”; and
 - iii. Moral damages.

19. The Respondent’s principal contentions are:

- a. The Dispute Tribunal will not overturn a factual determination of the ABCC unless there is “prejudice, material mistakes of fact or other extraneous factors”;
- b. The medical reports before the ABCC demonstrate that the Applicant has a developmental condition; there is no evidence to support her claim that she sustained an injury during the course of the medical examination conducted on 3 August 2011 at UNMIT;
- c. On the basis of the information available to it, the ABCC correctly recommended that the Applicant’s claim be denied, and the Secretary-General correctly approved the recommendation;
- d. The Applicant’s allegations concerning an alleged “International Conspiracy” are irrelevant and without merit; and
- e. Consequently, the Respondent requests the Tribunal to dismiss the application.

Consideration

20. Appendix D of the Staff Rules governs compensation for injury attributable to the performance of official duties. Pursuant to its art. 2, “[c]ompensation shall be awarded in the event of ... injury ... of a staff member which is attributable to the performance of official duties on behalf of the United Nations”.

21. Section IV of Appendix D covers administration and procedures for claimants to enter initial claims. Art. 13 provides that “the determination of [an] injury ... shall be made on the basis of reports obtained from a qualified medical practitioner or practitioners”. Under art. 14, the Secretary-General can require the medical examination of any claimant and, under art. 15, the claimant is obliged to “furnish such documentary evidence as may be required by the Secretary-General for the purpose of making a determination under [the] rules”.

22. Art. 16 establishes a Board, the ABCC, consisting of representatives of the Administration and three staff representatives with necessary expertise to make recommendations to the Secretary-General concerning compensation claims. The Secretary-General makes the final decision.

23. Finally, art. 17 entitled “Appeals in case of injury or illness” provides, in its relevant part, that:

(a) Reconsideration of the determination by the Secretary-General of the existence of an injury or illness attributable to the performance of official duties, or of the type and degree of disability may be requested within thirty days of notice of the decision; provided, however, that in exceptional circumstances the Secretary-General may accept for consideration a request made at a later date.

The request for reconsideration shall be accompanied by the name of the medical practitioner chosen by the staff member to represent him on the medical board provided for under paragraph (b);

(b) A medical board shall be convened to consider and to report to the Advisory Board on Compensation Claims on the medical aspects of the appeal. The medical board shall consist of: (i) a qualified medical practitioner selected by the claimant; (ii) the Medical Director of the United Nations or a medical practitioner selected by him; (iii) a third qualified medical practitioner who shall be selected by the first two, and who shall not be a medical officer of the United Nations;

(c) The Advisory Board on Compensation Claims shall transmit its recommendations together with the report of the medical board to the Secretary-General who shall make the final determination;

(d) If after reviewing the report of the medical board and the recommendations of the Advisory Board on Compensation Claims, the Secretary-General alters his original decision in favour of the claimant, the United Nations will bear the medical fees and incidental expenses; if the original decision is sustained, the claimant shall bear the medical fees and the incidental expenses of the medical practitioner whom he selected and half of the medical fees and expenses of the third medical practitioner on the medical board. The balance of the fees and expenses shall be borne by the United Nations.

24. It is well established that the reconsideration procedure set forth in art. 17 of Appendix D is neither exclusive nor mandatory, but rather stands as an alternative to challenging a decision of the Secretary-General taken pursuant to Appendix D before the Dispute Tribunal (see, e.g., *Baron* UNDT/2011/174; *Kisia* UNDT/2016/023). That said, the two avenues offer different prospects.

25. The reconsideration procedure under art. 17 of Appendix D essentially provides for a review of the medical aspects of the case, through the constitution of a medical board composed of three medical practitioners qualified to make expert recommendations to the ABCC. This procedure allows a claimant to challenge the medical findings upon which a decision of the Secretary-General pursuant to Appendix D was based (*Peglan* UNDT/2016/059; *Simmons* UNDT/2012/167; *Christensen* UNDT/2012/094).

26. In turn, the judicial review before the Dispute Tribunal focusses on the procedure that led to the issuance of the Secretary-General's decision. The standard of review of administrative decisions has been clearly set by the Appeals Tribunal in *Sanwidi* 2010-UNAT-084:

When judging the validity of the Secretary-General's exercise of discretion in administrative matters, the Dispute Tribunal determines if the decision is legal, rational, procedurally correct, and proportionate. The Tribunal can consider whether relevant matters have been ignored and irrelevant matters considered, and also examine whether the decision is absurd or perverse. But it is not the role of the Dispute Tribunal to consider the correctness of the choice made by the Secretary-General amongst the various courses of action open to him. Nor is it the role of the Tribunal to substitute its own decision for that of the Secretary-General.

27. The Appeals Tribunal further held in *Karseboom* 2015-UNAT-601 that when seized of an application challenging a decision under Appendix D, the Dispute Tribunal shall examine whether the proper procedure had been followed, and that it cannot put itself in the place of the medical expert or of the decision-maker. The Appeals Tribunal stressed in *Karseboom* that the Dispute Tribunal is not competent to make medical findings (see also *Baron* UNDT/2011/174; *Wamalala* UNDT/2014/133).

28. In the present case, the Applicant challenges the decision taken by the Secretary-General based on the recommendation of the ABCC, which, in turn, was supported by the medical advice provided by the Medical Services Division to the ABCC. She argues that Dr. R. erred in concluding that the UNMIT doctor who examined her on 3 August 2011 did not commit malpractice, and that she did not suffer any injury as a result of this examination but was rather affected by a developmental condition. These are medical conclusions and opinions, which the Tribunal does not have jurisdiction to review. As recalled above, the Tribunal is not allowed to substitute its appreciation of medical issues for that of a medical practitioner, nor would it have the expertise to do so. The proper way for the Applicant to request reconsideration of the conclusions reached by the Medical Services Division was to make use of art. 17 of Appendix D, to have the matter re-examined by a group of medical experts.

29. The Applicant also alleges that the ABCC's recommendation was part of "an alleged transnational serious and organized white collar criminal network". She seeks to relate this recommendation to a payment of USD587,428.65 that was allegedly made to her account with the United Nations Federal Credit Union ("UNFCU") and for which the UNFCU is seeking recovery on the basis that it was made in error.

30. The Tribunal recalls that any issue related to the recovery of payment by the UNFCU falls beyond the scope of the present proceedings and cannot be considered. Insofar as the Applicant seeks to establish a link between the payment allegedly made to her UNFCU account and the recommendation made by the ABCC to deny her claim for service-incurred injury, the Tribunal finds that the

ABCC's recommendation is based on the opinion provided by the medical practitioner, as clearly indicated in the report of its 483rd meeting of 12 May 2015, and that the Applicant's allegations of bias are not substantiated by any evidence.

31. Finally, the Tribunal notes that the Applicant did not point out any procedural irregularity that would vitiate the contested decision. Having carefully examined the documents submitted by the parties, the Tribunal finds no indication that the procedure set forth in Appendix D for determining the Applicant's claim for compensation was not followed. Rather, it appears that the matter was reviewed by a medical practitioner and the Medical Director of the Medical Services Division based on the documentation submitted by the Applicant, that the ABCC made its recommendation on the grounds of advice provided by the medical practitioners and that the Secretary-General, in turn, endorsed the ABCC recommendation, in compliance with arts. 13, 14, 15 and 16 of Appendix D.

Conclusion

32. In view of the foregoing, the Tribunal hereby DECIDES to reject the application in its entirety.

(Signed)

Judge Rowan Downing

Dated this 30th day of September 2016

Entered in the Register on this 30th day of September 2016

(Signed)

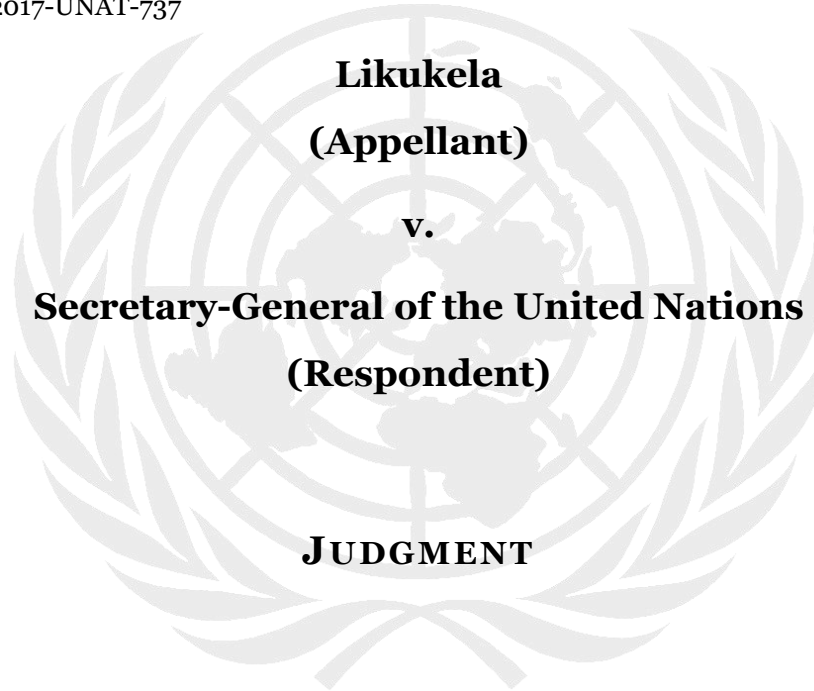
René M. Vargas M., Registrar, Geneva



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

**Annex
B**

Judgment No. 2017-UNAT-737



Before:	Judge Richard Lussick, Presiding Judge Deborah Thomas-Felix Judge Sabine Knierim
Case No.:	2016-980
Date:	31 March 2017
Registrar:	Weicheng Lin

Counsel for Ms. Likukela:	Self-represented
Counsel for Secretary-General:	Nathalie Defrasne

JUDGE RICHARD LUSSICK, PRESIDING.

1. The United Nations Appeals Tribunal (Appeals Tribunal) has before it an appeal filed by Ms. Dorah Namasiku Likukela against Judgment No. UNDT/2016/180 issued by the United Nations Dispute Tribunal (Dispute Tribunal or UNDT) in Geneva on 30 September 2016. Ms. Likukela filed her appeal on 25 October 2016. The Secretary-General filed his answer on 23 January 2017.

Facts and Procedure

2. Ms. Likukela is a former investigator (P-3) with the United Nations Integrated Mission in Timor-Leste (UNMIT). In her application before the UNDT, she contested the decision by the Secretary-General to uphold the recommendation of the Advisory Board on Compensation Claims (ABCC) rejecting her claim for compensation under Appendix D of the Staff Rules (Appendix D) for alleged injuries incurred during the course of a medical examination conducted at UNMIT on 3 August 2011.

3. Considering that the matter involved a detailed account of Ms. Likukela's medical condition which was not of interest to the public and in order to protect her right to privacy, references to her medical condition were redacted from the published version of the UNDT Judgment and are therefore not contained in the following fact section.

4. On 3 August 2011, Ms. Likukela attended a consultation with the UNMIT Medical Services Section. On the same day, Ms. Likukela reported to the UNMIT Security Special Investigations Unit that she had been victim of an incident during this medical examination.

5. Between August 2011 and June 2013, Ms. Likukela was examined several times, undergoing, among others, ultrasound and diagnostic surgery.

6. On 15 October 2013, Ms. Likukela filed a request before the ABCC under Appendix D for compensation for injuries she claimed to have incurred during the medical examination of 3 August 2011.

7. By memorandum of 10 March 2015, Dr. R. of the Medical Services Division (MSD), New York, in consultation with the Medical Director, advised the ABCC as to whether Ms. Likukela's condition could be considered to be directly related to the medical

examination that was conducted on 3 August 2011. He stated in his report that “the Medical Director ... confirmed that there [was] no evidence of medical malpractice and, in this case, no evidence of sexual assault”. Regarding Ms. Likukela’s specific claims, Dr. R. found that:

- a) The practice used during the examination is reasonable and appropriate medical practice for a patient presenting with the symptoms that Ms. Likukela had;
- b) The pathology examination following surgery confirmed that Ms. Likukela had a developmental condition (present from birth) that was consistent with her symptoms.

8. On 12 May 2015, the ABCC, at its 483rd meeting, reviewed Ms. Likukela’s claim for compensation under Appendix D. Having considered the medical reports and the advice of the Medical Director, MSD, the ABCC recommended that “[Ms. Likukela]’s request that her injuries/illness ... be recognized as service-incurred be denied”.

9. On 5 June 2015, the Secretary-General approved the above-mentioned recommendation to deny Ms. Likukela’s claim.

10. On 1 July 2015, Ms. Likukela filed a request for management evaluation concerning the “ABCC recommendation for [her] injury compensation claim”.

11. By letter dated 6 July 2015, the Management Evaluation Unit (MEU) advised Ms. Likukela that her request was not receivable in view that the ABCC is a technical body and, therefore, no request for management evaluation was required pursuant to Staff Rule 11.2(b).

12. On 24 August 2015, Ms. Likukela filed an application before the UNDT.

13. The UNDT rendered its Judgment on 30 September 2016 rejecting the application in its entirety. The Dispute Tribunal found that it had no jurisdiction to examine the decision taken by the Secretary-General based on the recommendation of the ABCC, which, in turn was supported by the medical advice provided by the MSD to the ABCC. The UNDT noted that it cannot review “medical conclusions and opinions” and that it was “not allowed to substitute its appreciation of medical issues for that of the medical practitioner, nor would it

have the expertise to do so. The proper way for [Ms. Likukela] to request reconsideration of the conclusions reached by the [MSD] was to make use of art. 17 of Appendix D, to have the matter re-examined by a group of medical experts.”¹ The Dispute Tribunal further found that Ms. Likukela’s request for review of the allegedly erroneous recovery of USD 587,428.65 by the United Nations Federal Credit Union (UNFCU) as a scheme to defraud her of her benefits, fell beyond the scope of the case and would thus not be considered. Finally, the Dispute Tribunal held that there was no indication that the procedure set forth in Appendix D for determining Ms. Likukela’s claim for compensation had not been correctly followed.

Submissions

Ms. Likukela’s Appeal

14. Ms. Likukela submits that the UNDT exceeded its jurisdiction and erred on a question of fact in its summary of the medical findings of the case. She further argues that since the UNDT is “not a medical expert to draw up those facts”, it erred on a question of law in its application of the relevant standard of review. Moreover, Ms. Likukela states, *inter alia*, that the involved medical experts used incorrect procedures and reached faulty medical conclusions; she asserts further that the sexual assault that allegedly occurred during the medical exam conducted on 3 August 2011 was not properly dealt with by the Administration.

15. She reiterates that the UNFCU intended to defraud her of her benefits when it “generat[ed]” a payment of approximately USD 587,000 for what she believed to be compensation for her alleged injury and then recovered part of the amount. In addition, the UNDT exceeded its jurisdiction when it separated the issue regarding the UNFCU payment from the questions of sexual assault and medical malpractice.

16. It is Ms. Likukela’s submission that “[t]he UNDT should have referred the case back to the Secretary[-]General for accountability” in accordance with Article 17 of Appendix D rather than issuing a judgment. In this regard, she notes that she was previously not aware of the procedure stipulated in Article 17 of Appendix D as she was “merely given the contested decision and advised to appeal to the MEU, who thereafter advised [her] to appeal to the UNDT”.

¹ Impugned Judgment, para. 28.

17. Based on these submissions, Ms. Likukela requests, in particular, that the Appeals Tribunal reverse the UNDT Judgment and award her compensation.

The Secretary-General's Answer

18. The Secretary-General argues that the UNDT correctly found that the contested decision was lawfully taken. The UNDT did not err in concluding that it did not have jurisdiction to review medical findings and that such findings could only be reconsidered by a medical board convened by the Secretary-General upon the concerned staff member's request. The Dispute Tribunal correctly stated that its role merely consisted in reviewing the procedural correctness of the contested decision. It did not err in finding, after careful review of all the submitted documentation, that the matter had been properly assessed by a doctor in consultation with the Medical Director, MSD, based on the medical records submitted by Ms. Likukela, that there was no evidence of bias in the recommendations by the ABCC, and that the Secretary-General had appropriately endorsed the recommendations. Therefore, the Secretary-General submits that the UNDT did not err in concluding that the decision-making process leading up to the contested decision had complied with the procedure set out in Appendix D and in finding no procedural irregularities.

19. The Secretary-General further asserts that Ms. Likukela failed to establish any error by the UNDT warranting reversal of the Judgment. She simply repeats the arguments that she had already raised before the UNDT and therefore did not satisfy the requirements of Article 2(1) of the Appeals Tribunal Statute. In particular, she merely "disagrees with the interpretation of the medical reports made by the medical practitioners, MSD, and simply wants the UNDT and the [Appeals Tribunal] to accept her own interpretation" disregarding the fact that the UNDT actually did not make "medical findings" based on its holding that it lacked competence to do so.

20. In addition, he argues that Ms. Likukela's claim that the UNDT should have ordered the Secretary-General to convene a medical board in accordance with Article 17 of Appendix D is without merit because the UNDT has no jurisdiction to order such reconsideration. If Ms. Likukela was unsatisfied with the medical conclusions forming the basis of the recommendations of the ABCC and ultimately the contested decision, she should have requested the Secretary-General to convene a medical board in order to review such medical conclusions in accordance with Article 17 of Appendix D and within the timeframe required by Article 17(a) of Appendix D.

21. Therefore, the Secretary-General prays the Appeals Tribunal to affirm the impugned Judgment and dismiss the appeal in its entirety.

Considerations

Preliminary matter: request for an oral hearing

22. We deal first with a preliminary matter. Ms. Likukela has applied for an oral hearing. The reasons for this application, as stated in her appeal form, are “for [an] independent team of medical experts and medical health care fraud experts to refute the respondent’s medical recommendation. Further so that I confront [sic] and cross[-]examine the JP Morgan Staff, UNFCU Staff and UN payroll staff members, as well as those recipient banks, that cleared the money in question as mine, including the Respondent.”

23. Ms. Likukela is wrong in thinking that she is entitled to call evidence on appeal that she should have presented to the UNDT. The Appeals Tribunal does not have jurisdiction to hold a hearing *de novo* of her application to the UNDT. The Appeals Tribunal is the second instance of the two-tier formal system of administration of justice, with jurisdiction to hear and pass judgment on appeals filed against judgments of the UNDT.

24. Pursuant to Article 8(3) of the Appeals Tribunal Statute, it lies with the prerogative of the judges assigned to a case to decide whether to hold oral proceedings. Article 18(1) of our Rules of Procedure provides that the judges may decide to do so if such hearing would assist in the expeditious and fair disposal of the case. An oral hearing would be of no such assistance in the present case, as the facts and pleadings on record clearly define the issues for decision on appeal.

25. Ms. Likukela’s application for an oral hearing is therefore refused.

The appeal

26. Ms. Likukela applied to the UNDT to overturn a decision by the Secretary-General upholding a recommendation by the ABCC to deny her claim for compensation. The ABCC’s recommendation was based on the opinion of a doctor of the MSD in consultation with the Medical Director, MSD, after reviewing her medical history from reports submitted by Ms. Likukela. She has not challenged any of the medical findings by requesting a medical board pursuant to Article 17 of Appendix D.

27. She argued before the UNDT that these medical conclusions were wrong. Needless to say, the UNDT was not swayed by her own opinions on the medical evidence. The UNDT also correctly regarded itself as not competent to make medical findings contradicting the medical evidence.

28. The UNDT was cognizant of its obligation to determine if the Secretary-General's decision was legal, rational, procedurally correct and proportionate, but that it was not its role to consider the correctness of the choice made by the Secretary-General from amongst the various courses of action open to him, nor to substitute its own decision for that of the Secretary-General.²

29. We find that the UNDT made no error in its finding that the ABCC's recommendation had no connection with the attempted recovery of the sum of USD 587,428.65 which was allegedly paid to her by the UNFCU by mistake. The UNDT found on the evidence before it that the ABCC's recommendation was based on evidence provided by the medical reports, and that Ms. Likukela had not provided any evidence of bias.

30. The UNDT, having carefully examined the documents submitted by the parties, found that there was:³

... no indication that the procedure set forth in Appendix D for determining [Ms. Likukela's] claim for compensation was not followed. Rather, it appears that the matter was reviewed by a medical practitioner and the Medical Director of the [MSD] based on the documentation submitted by [Ms. Likukela], that the ABCC made its recommendation on the grounds of advice provided by the medical practitioners and that the Secretary-General, in turn, endorsed the ABCC recommendation, in compliance with arts. 13, 14, 15 and 16 of Appendix D.

31. We find that the UNDT was quite correct when it opined: "The proper way for [Ms. Likukela] to request reconsideration of the conclusions reached by the [MSD] was to make use of art. 17 of Appendix D, to have the matter re-examined by a group of medical experts."⁴ This she failed to do.

² *Ibid.*, para. 26, citing *Sanwidi v. Secretary-General of the United Nations*, Judgment No. 2010-UNAT-084.

³ Impugned Judgment, para. 31.

⁴ *Ibid.*, para. 28.

32. We find no reason to disagree with the UNDT's finding that Ms. Likukela had not pointed to any procedural irregularity which would justify overturning the contested decision. Her arguments on appeal are essentially that she disagrees with the conclusions of the medical practitioners and seeks to persuade us to accept her views, just as she did with the UNDT.

33. It is not sufficient for Ms. Likukela merely to submit that she disagrees with the UNDT decision and to repeat the arguments she put to that court. The appeals procedure is of a corrective nature and is not an opportunity for a dissatisfied party to reargue his or her case. A party cannot merely repeat on appeal arguments that did not succeed in the lower court. Rather, he or she must demonstrate that the court below has committed an error of fact or law warranting intervention by the Appeals Tribunal.⁵

34. We find that Ms. Likukela has failed to demonstrate that the UNDT committed any error of fact or law in arriving at its decision.

35. The appeal must fail.

Judgment

36. Judgment No. UNDT/2016/180 is affirmed and the appeal is dismissed in its entirety.

⁵ *Hassan v. Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East*, Judgment No. 2015-UNAT-504; *Khashan v. Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East*, Judgment No. 2015-UNAT-502.

Original and Authoritative Version: English

Dated this 31st day of March 2017 in Nairobi, Kenya.

(Signed)

Judge Lussick, Presiding

(Signed)

Judge Thomas-Felix

(Signed)

Judge Knierim

Entered in the Register on this 26th day of May 2017 in New York, United States.

(Signed)

Weicheng Lin, Registrar



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

**Annex
C**

Judgment No. 2017-UNAT-808

**Likukela
(Applicant)**

v.

**Secretary-General of the United Nations
(Respondent)**

JUDGMENT ON APPLICATION FOR REVISION

Before:	Judge Deborah Thomas-Felix, Presiding Judge Sabine Knierim Judge Martha Halfeld
Case No.:	2017-1094
Date:	27 October 2017
Registrar:	Weicheng Lin

Counsel for Ms. Likukela:	Self-represented
Counsel for Secretary-General:	Nathalie Defrasne

JUDGE DEBORAH THOMAS-FELIX, PRESIDING.

1. On 31 March 2017, the United Nations Appeals Tribunal (Appeals Tribunal) rendered Judgment No. 2017-UNAT-737 in the case of *Likukela v. Secretary-General of the United Nations*. On 26 June 2017, Ms. Dorah Namasiku Likukela filed an application for revision of judgment, and on 3 August 2017, the Secretary-General filed his comments.

Facts and Procedure

2. In its Judgment, the Appeals Tribunal cited the following facts as uncontested:¹

... Ms. Likukela is a former investigator (P-3) with the United Nations Integrated Mission in Timor-Leste (UNMIT). In her application before the [United Nations Dispute Tribunal (UNDT)], she contested the decision by the Secretary-General to uphold the recommendation of the Advisory Board on Compensation Claims (ABCC) rejecting her claim for compensation under Appendix D of the Staff Rules (Appendix D) for alleged injuries incurred during the course of a medical examination conducted at UNMIT on 3 August 2011.

... Considering that the matter involved a detailed account of Ms. Likukela's medical condition which was not of interest to the public and in order to protect her right to privacy, references to her medical condition were redacted from the published version of the UNDT Judgment and [were] therefore not contained [therein].

... On 3 August 2011, Ms. Likukela attended a consultation with the UNMIT Medical Services Section. On the same day, Ms. Likukela reported to the UNMIT Security Special Investigations Unit that she had been victim of an incident during this medical examination.

... Between August 2011 and June 2013, Ms. Likukela was examined several times, undergoing, among others, ultrasound and diagnostic surgery.

... On 15 October 2013, Ms. Likukela filed a request before the ABCC under Appendix D for compensation for injuries she claimed to have incurred during the medical examination of 3 August 2011.

... By memorandum of 10 March 2015, Dr. R. of the Medical Services Division (MSD), New York, in consultation with the Medical Director, advised the ABCC as to whether Ms. Likukela's condition could be considered to be directly related to the medical examination that was conducted on 3 August 2011. He stated in his report that "the Medical Director ... confirmed that there [was] no evidence of medical

¹ Impugned Judgment paras. 2-13 (footnotes omitted), involving *Likukela v. Secretary-General of the United Nations*, Judgment No. UNDT/2016/180, issued by the UNDT in Geneva on 30 September 2016.

malpractice and, in this case, no evidence of sexual assault”. Regarding Ms. Likukela’s specific claims, Dr. R. found that:

... The practice used during the examination is reasonable and appropriate medical practice for a patient presenting with the symptoms that Ms. Likukela had;

... The pathology examination following surgery confirmed that Ms. Likukela had a developmental condition (present from birth) that was consistent with her symptoms.

... On 12 May 2015, the ABCC, at its 483rd meeting, reviewed Ms. Likukela’s claim for compensation under Appendix D. Having considered the medical reports and the advice of the Medical Director, MSD, the ABCC recommended that “[Ms. Likukela]’s request that her injuries/illness ... be recognized as service-incurred be denied”.

... On 5 June 2015, the Secretary-General approved the above-mentioned recommendation to deny Ms. Likukela’s claim.

... On 1 July 2015, Ms. Likukela filed a request for management evaluation concerning the “ABCC recommendation for [her] injury compensation claim”.

... By letter dated 6 July 2015, the Management Evaluation Unit (MEU) advised Ms. Likukela that her request was not receivable in view that the ABCC is a technical body and, therefore, no request for management evaluation was required pursuant to Staff Rule 11.2(b).

... On 24 August 2015, Ms. Likukela filed an application before the UNDT.

... The UNDT rendered its Judgment on 30 September 2016 rejecting the application in its entirety. The [UNDT] found that it had no jurisdiction to examine the decision taken by the Secretary-General based on the recommendation of the ABCC, which, in turn was supported by the medical advice provided by the MSD to the ABCC. The UNDT noted that it cannot review “medical conclusions and opinions” and that it was “not allowed to substitute its appreciation of medical issues for that of the medical practitioner, nor would it have the expertise to do so. The proper way for [Ms. Likukela] to request reconsideration of the conclusions reached by the [MSD] was to make use of art. 17 of Appendix D, to have the matter re-examined by a group of medical experts.” The Dispute Tribunal further found that Ms. Likukela’s request for review of the allegedly erroneous recovery of USD 587,428.65 by the United Nations Federal Credit Union (UNFCU) as a scheme to defraud her of her benefits, fell beyond the scope of the case and would thus not be considered. Finally, the [UNDT] held that there was no indication that the procedure set forth in Appendix D for determining Ms. Likukela’s claim for compensation had not been correctly followed.

3. On 25 October 2016, Ms. Likukela filed an appeal against Judgment No. UNDT/2016/180, issued by the Dispute Tribunal in Geneva on 30 September 2016. The Secretary-General filed his answer on 23 January 2017.

4. On 31 March 2017, the Appeals Tribunal rendered Judgment No. 2017-UNAT-737 affirming the UNDT Judgment and dismissing the appeal in its entirety. As a preliminary matter, the Appeals Tribunal refused Ms. Likukela's request for an oral hearing as Ms. Likukela intended at the hearing to call evidence that she should have presented to the UNDT and an oral hearing would not be of assistance to the Appeals Tribunal. On the merits, the Appeals Tribunal found: (i) the UNDT correctly held itself not competent to make medical findings contradicting the medical evidence adduced by the ABCC; (ii) the UNDT did not err in concluding that the ABCC's recommendation had no connection with the attempted recovery of the monies allegedly paid to her by the UNFCU by mistake; and (iii) the UNDT was correct in finding the proper way for Ms. Likukela to request reconsideration of the medical findings was for her to request, pursuant to Article 17 of Appendix D, that her matter be re-examined by a group of medical experts, which she had failed to do.

5. As noted above, on 26 June 2017, Ms. Likukela filed an application for revision of judgment and on 3 August 2017, the Secretary-General filed his comments.

6. On 24 August 2017, Ms. Likukela filed a motion to file additional pleadings. On 7 September 2017, the Secretary-General filed his response to the motion.

Submissions

Ms. Likukela's Application

7. Ms. Likukela requests revision on the grounds that the Judgment has indications of bias and manipulation to cover up bank and wire fraud by the UNFCU. The medical recommendations by the MSD are part of such fraud, and any decision made on their fraud is thus null and void and ought to be vacated and set aside. The MSD followed the incorrect procedure as it did not independently corroborate her pathology results.

8. Ms. Likukela asserts there is a money laundering scheme to defraud her of her United Nations benefit entitlements for which various United Nations staff members are criminal suspects. The matter ought to be referred to the Secretary-General and as such paragraphs 7-9

of the Judgment cannot stand and paragraph 18-21 should be reviewed. The UNFCU failed to inspect documents which led to their error and mistaken payment of USD 587,000.

9. Ms. Likukela asserts she was denied a fair hearing and argues that she would like to request a second medical opinion but she only became aware of Article 17 of Appendix D when it was mentioned in the Judgment since it was not part of the Staff Rules on the website. Also, the MEU did not advise her of it.

The Secretary-General's Comments

10. Ms. Likukela fails to identify the discovery of any decisive facts, which were unknown to her and to the Appeals Tribunal, at the time the Judgment was rendered as is required by Article 11(1) of the Appeals Tribunal's Statute (Statute) and Article 24 of the Appeals Tribunal's Rules of Procedure (Rules) for an application for revision to succeed. Contrary to Ms. Likukela's claim that she was unaware of the procedure set forth in Appendix D, the Staff Rules contain Appendix D which were readily available to her. Ignorance of the law is no excuse. Ms. Likukela's argument that the Judgment indicates bias and "colonial manipulation" to cover up bank wire fraud does not constitute the discovery of a new decisive fact; rather Ms. Likukela is rearguing her case on matters that were deemed by the UNDT and the Appeals Tribunal to have no connection to the contested decision to uphold the ABCC's recommendation. Lastly, Ms. Likukela has levied unfounded slanderous allegations against staff of the MSD, the Secretary-General's counsel, and the former Secretary-General. The application is merely an attempt by Ms. Likukela to re-open a final judgment without fulfilling the criteria under the Appeals Tribunal's Statute and Rules.

Considerations

11. As a preliminary matter, Ms. Likukela has applied for leave to file additional pleadings. There is no provision under the Statute and Rules for additional pleadings to be submitted by parties, except in exceptional circumstances.² Ms. Likukela has not provided this Tribunal with any cogent or compelling argument to support any contention that there were exceptional

² Under Article 31(1) of the Rules and Section II.A.3 of the Appeals Tribunal's Practice Direction No. 1, the Appeals Tribunal may allow a motion requesting leave to file additional pleadings after the filing of the answer to an appeal if there are exceptional circumstances justifying the motion. See *Rangel v. International Court of Justice*, Judgment No. 2015-UNAT-531, para. 14; *Utkina v. Secretary-General of the United Nations*, Judgment No. 2015-UNAT-524, para 16.

circumstances which warranted the additional filing. Under such circumstances, the motion to supply additional filings is denied.

12. Ms. Likukela requests revision of Judgment No. 2017-UNAT-737. This request is governed by Article 11(1) of the Statute and Article 24 of the Rules. In order for Ms. Likukela to succeed with her application, she must show or identify a decisive fact that was unknown to her and to the Appeals Tribunal at the time the Judgment was rendered. This review procedure is corrective in nature and is not an opportunity for Ms. Likukela to reargue her case.³

13. As stated in *Ghahremani*:⁴

... Applications for revision of judgment are governed by Article 11(1) of the Statute and Article 24 of the Rules of Procedure of the Appeals Tribunal. By these provisions, an applicant must show or identify the decisive facts that, at the time of the Appeals Tribunal's judgment, were unknown to both the Appeals Tribunal and the party applying for revision; that such ignorance was not due to the negligence of the applicant; and that the facts identified would have been decisive in reaching the decision.

14. Ms. Likukela has presented no new and/or no decisive fact which at the time the Judgment was rendered was unknown within the meaning of Article 11(1) of the Statute.

15. In the circumstances, the application for revision is dismissed.

³ *Maghari v. Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East*, Judgment No. 2013-UNAT-392, para. 19.

⁴ *Ghahremani v. Secretary-General of the United Nations*, Judgment No. 2013-UNAT-351, para. 9. See also *Onifade v. Secretary-General of the United Nations*, Judgment No. 2017-UNAT-775 and *Saeed v. Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East*, Judgment No. 2017-UNAT-719.

Judgment

16. The application for revision is dismissed and Judgment No. 2017-UNAT-737 is affirmed.

Original and Authoritative Version: English

Dated this 27th day of October 2017 in New York, United States.

(Signed)

Judge Thomas-Felix, Presiding

(Signed)

Judge Knierim

(Signed)

Judge Halfeld

Entered in the Register on this 8th day of December 2017 in New York, United States.

(Signed)

Weicheng Lin, Registrar



UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NBI/2024/037
Judgment No.: UNDT/2025/006
Date: 7 February 2025
Original: English

**Annex
D**

Before: Judge Sean Wallace

Registry: Nairobi

Registrar: Wanda L. Carter

LIKUKELA

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

JUDGMENT

Counsel for Applicant:

Self-represented

Counsel for Respondent:

Albert Angeles, DAS/ALD/OHR, UN Secretariat
Sergei Gorbylev, DAS/ALD/OHR, UN Secretariat

Introduction

1. What would you do if more than a half-million dollars mysteriously appeared in your bank account? The Applicant's answer to this question ended her United Nations career and gave rise to this case.

Background

2. On 24 May 2024, the Applicant filed an application to contest the decision to impose on her the disciplinary measure of separation from service with compensation *in lieu* of notice, and without termination indemnity, in accordance with staff rule 10.2(a)(viii).

3. The Applicant began her service with the United Nations on 21 February 2007 as a Resident Investigator with the Office of Internal Oversight Services ("OIOS"), at the United Nations Mission in Sudan ("UNMIS"). On 21 February 2008, the Applicant transferred to the United Nations Mission in East Timor ("UNMIT") as an investigator with the Serious Crimes Investigation Team, where she remained until her first separation from service on 30 June 2013.

4. On 1 August 2013, USD587,428.65 was transferred to the Applicant's savings account at the United Nations Federal Credit Union ("UNFCU").

5. The next day, the Applicant promptly began spending this money and/or transferring it to other accounts. By mid-September 2023, the Applicant had appropriated USD519,554.23 of the USD587,428.65.

6. On 13 September 2013, during a reconciliation exercise of its accounts, UNFCU discovered that a UNFCU employee made a clerical error triggering the transfer of USD587,428.65 to the Applicant's UNFCU account. According to United Nations payroll instructions that sum had been intended for the accounts of multiple United Nations staff members.

7. On 16 September 2013, the Applicant had a telephone conversation with the Vice President for Security and Investigations at UNFCU (the UNFCU VP)

regarding the erroneous funds transfer. During the phone call, the UNFCU VP requested the Applicant to return the funds to UNFCU.

8. On 18 September 2013, the Applicant informed the UNFCU VP by email that she would provide him with a repayment plan. However, the Applicant never provided a repayment plan and never returned the funds to UNFCU.

9. Subsequently, UNFCU set off the USD587,428.65 against the remaining funds in the Applicant's UNFCU accounts which, as of September 2013, totalled approximately USD99,800.00. This left USD487,628.65 still owed by the Applicant.

10. On 5 February 2014, UNFCU filed a restitution claim against the Applicant in the High Court of Zambia in Lusaka, Zambia ("High Court") to recover USD487,216.20, representing the remainder of the erroneously transferred funds after the set off.¹ The case was registered as case number 2014/HPC/0057.

11. On 20 February 2014, the Applicant filed a defence to the claim before the High Court asserting that the USD587,428.65 was an expected payment from the Organization for her separation benefits and/or for her appendix D claim (plus reimbursement of related travel and medical expenses). She also filed a counterclaim alleging that UNFCU irregularly siphoned the funds from her account, seeking repayment of the recovered funds, together with damages and interests in the total amount of USD101,270,052.00.

12. On 13 December 2020, the Applicant rejoined the Organization as Chief of the Special Investigations Unit at the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo ("MONUSCO").

13. The following day, the previous Chief of the MONUSCO Special Investigations Unit reported to OIOS the Applicant's possible involvement in fraudulent activities. This report said that the Applicant and UNFCU were parties

¹ After the set off, the total amount to be recovered from the Applicant should have been around USD487,628.65. However, the statement of claim filed with the High Court only mentioned USD587,016.20. For this reason, in the case that was filed against the Applicant, UNFCU only sought to recover USD487,216.20.

to a pending legal dispute involving allegations of fraud and the erroneous transfer of a large sum of money to her UNFCU account, which UNFCU was seeking to recover.

14. On 23 February 2021, the High Court conducted an online hearing in case number 2014/HPC/0057. The UNFCU VP appeared to give testimony regarding the erroneous transfer and his efforts to recover the funds from the Applicant. The Applicant failed to appear in court, despite having received notice.

15. On 25 February 2021, the Applicant emailed the Deputy Director of the Zambia Judiciary claiming she was unable to attend the hearing two days prior and asking for the case to be decided on the papers.

16. Meanwhile, the OIOS investigation was ongoing, and on 4 March 2021, OIOS interviewed the Applicant. When asked about the status of the dispute between her and UNFCU, the Applicant stated that UNFCU failed to submit evidence in support of its defence to her counterclaim and that she had filed for a default judgment with the High Court. According to the Applicant, she won a default judgment against UNFCU, which became final in April 2017. The Applicant provided OIOS with copies of the final default judgment and said the judgment reflected the status of the case.²

17. In fact, the Zambian High Court issued its judgment on UNFCU's claim and the Applicant's counterclaim on 13 July 2022. The High Court held that UNFCU erroneously transferred the sum of USD587,428.65 to the Applicant's account and that the Applicant knew or should have known that the money she used did not represent her separation benefits. Accordingly, the High Court ordered her to make restitution to UNFCU within 30 days of the judgment, in the amount of USD487,216.20 with interest at the rate of 2% per annum from 1 August 2013. In

² On 22 May 2019, the Applicant reported to OIOS an allegation of "fraud, racketeering and money laundry". With the report, the Applicant submitted a copy of this same undated final judgment ("final default judgment") purportedly issued by the Zambian High Court. This document said the High Court dismissed UNFCU's claim and directed UNFCU to pay the Applicant USD110,089,252.00. Following an assessment of the complaint, OIOS closed the matter although the record does not recount how or when this was done.

view of the Applicant's failure to attend the hearing of the case, the High Court dismissed her counterclaim for want of prosecution.

18. OIOS requested the UNDSS Security Adviser in Zambia to assist in verifying the authenticity of both the judgments described in paras. 16-17 above. On 2 November 2023, the Zambian Chief Registrar replied that the judgment in favour of UNFCU is "the true and correct copy of the final judgment which was delivered in the [case and] [t]he Judiciary can thus vouch for its authenticity." Regarding the document provided to OIOS by the Applicant, the Chief Registrar said "the purported final judgment was never filed into our Commercial Registry, we can thus not vouch for its authenticity. Put differently, the said document was neither filed at the Judiciary, nor issued by the Judiciary." The Chief Registrar further wrote

To emphasize the point, kindly note the seal on the original Judgment ... Further find the red comments on a copy of the purported final judgment indicating that the document is alien to the Judiciary. Also attached is a Memorandum from the Registrar-high court, Commercial Division, detailing the said finds.

19. On 29 December 2023, OIOS referred the Applicant's case, together with an investigation report, to the Office of Human Resources for appropriate action. On 20 February 2024, the Applicant was notified of the formal allegations of misconduct and requested to respond. On 10 April 2024, after receiving extensions of time, the Applicant provided her comments.

20. On 20 May 2024, the Under-Secretary-General for Management Strategy, Policy and Compliance ("USG/DMSPC") informed the Applicant that she decided to terminate her appointment. The USG/DMSPC concluded that it had been established by clear and convincing evidence that:

- a. From 14 December 2020, [the Applicant] refused to return and/or make arrangements for the return to the UNFCU of funds totalling USD487,216.20, despite UNFCU's demand and her awareness that the funds had been erroneously transferred to her account;

b. In March 2021, in her submissions to OIOS in the context of an investigation into the legal dispute between her and UNFCU, she provided OIOS investigators with false documentation and/or misrepresented the nature of the document indicating that it was a final judgment filed with and/or issued by the High Court of Zambia to dispose of the dispute between her and UNFCU, when no such document or judgment had been filed with and/or issued by the High Court of Zambia in the case; and

c. From 13 July 2022, she failed to comply with the High Court of Zambia's lawful order to return to UNFCU the amount of USD487,216.20, which UNFCU erroneously credited to her account, with interest at the rate of 2% per annum from 1 August 2013.

21. The USG/DMSPC further found that these facts amounted to misconduct, that the Applicant had been accorded due process, and that the appropriate sanction was separation from service as described in para. 2 above.

22. On 24 May 2024, the Applicant filed the present application. and the case was heard on 21 January 2025. The Applicant gave oral testimony and was cross examined by Counsel for the Respondent.

23. The parties filed their closing submissions by 31 January 2025. On 1 February 2025, the Applicant filed a motion for leave to file a "Post Closing submission", addressing therein the Respondent's closing submission. The Tribunal grants the motion and considers the additional argument.

Consideration

Standard of review and burden of proof

24. The Tribunal's Statute, as amended on 22 December 2023, provides that in reviewing disciplinary cases:

the Dispute Tribunal shall consider the record assembled by the Secretary-General and may admit other evidence to make an assessment on whether the facts on which the disciplinary measure

was based have been established by evidence; whether the established facts legally amount to misconduct; whether the applicant's due process rights were observed; and whether the disciplinary measure imposed was proportionate to the offence. (Art. 9.4).

25. The Tribunal's Statute generally reflects the jurisprudence of the United Nations Appeals Tribunal ("UNAT" or "Appeals Tribunal"). See, e.g., *AAC* 2023-UNAT-1370, para. 38; *Miyzed* 2015-UNAT-550, para. 18; *Nyawa* 2020-UNAT-1024.

26. In particular, the Tribunal's Statute essentially codified the Appeals Tribunal ruling that

When judging the validity of the Secretary-General's exercise of discretion in administrative matters, the Dispute Tribunal determines if the decision is legal, rational, procedurally correct, and proportionate. The Tribunal can consider whether relevant matters have been ignored and irrelevant matters considered, and also examine whether the decision is absurd or perverse. (*Sanwidi* 2010-UNAT-084, para. 40).

27. The Appeals Tribunal has underlined that "it is not the role of the Dispute Tribunal to consider the correctness of the choice made by the Secretary-General amongst the various courses of action open to him" or otherwise "substitute its own decision for that of the Secretary-General". *Id.* In this regard, "the Tribunal is not conducting a "merit-based review, but a "judicial review" explaining that a "judicial review" is more concerned with examining how the decision-maker reached the impugned decision, and not the merits of the decision-maker's decision." *Id.*

28. In this case, the Applicant disputes the facts upon which the disciplinary sanction was issued. She also claims that her due process rights were violated as the investigation was discriminatory and biased. The Applicant does not argue that the facts do not amount to misconduct or that the sanction is disproportionate.

Whether the facts on which the disciplinary measure was based were established by clear and convincing evidence

29. In disciplinary cases “when termination is a possible outcome”, UNAT has said the evidentiary standard is that the Administration must establish the alleged misconduct by “clear and convincing evidence”, which means that “the truth of the facts asserted is highly probable” (*Negussie* 2020-UNAT-1033 para. 45). UNAT clarified that clear and convincing evidence can either be “direct evidence of events” or may “be of evidential inferences that can be properly drawn from other direct evidence.”

30. Most of the essential facts are not in dispute. The Applicant agrees that USD587,428.65 suddenly appeared in her UNFCU account and that she began withdrawing some of the money. In a telephone conversation with a UNFCU representative, she was told that this deposit was done in error. In a follow up email, sent on 18 September 2013, she wrote “I will be in touch by COB [close of business] tomorrow with the details of my repayment plan.” She also agrees that she did not return the money despite requests to do so.

31. The Applicant agrees that a judgment was entered in the Zambia High Court against her and in favour of UNFCU for USD487,216.20, and that she did not pay this judgment. She also did not appeal the judgment.

32. The Applicant agrees that she gave OIOS a document entitled “Default Final Judgment” which indicated that the UNFCU complaint was dismissed and that a judgment of USD110,089,252.00 was entered in her favour against UNFCU. The Applicant told OIOS that she drafted this document, filed it with the Zambia High Court, and it was signed by the judge. However, at the hearing on this application the Applicant testified that the judgment was not signed by the judge.

33. In sum, the Applicant admits the facts upon which the discipline was imposed. However, she raises various allegations as to why she did not reimburse the monies at issue.

34. She claims that the USD587,428.65 was either her separation benefits or for her appendix D claim for an injury which she was expecting to receive from the Organization in 2013, but provided no evidence of such entitlement.

35. At the hearing the Applicant testified that she had filed a claim to be compensated for alleged injuries with the Advisory Board on Compensation Claims (“ABCC”). The ABCC determined that she did not have service-incurred or related injuries that the Organization should compensate. The Applicant unsuccessfully appealed the ABCC’s determination to both the UNDT and to the United Nations Appeals Tribunal (*See Likukela* UNDT/2016/180, and *Likukela* 2017-UNAT-737).

36. As for her claim that the deposit reflected her separation benefits, the documents show that these benefits were paid to her separately and, in any case, did not add up to USD587,428.65.

37. Thus, the Tribunal rejects this defence.

38. The Applicant also argues that she did not repay the monies because UNFCU failed to provide her with evidence of who made the erroneous transfer and why. As an initial matter, this claim fails to recognize that who made the error, and why it was made, are irrelevant. The money clearly was not hers regardless of the details of how the erroneous transfer occurred.

39. Moreover, the High Court of Zambia’s Judgment of 13 July 2022 indicates that the UNFCU had provided her with the required evidence. The High Court held that the Applicant “knew or ought to have known that the money that she used did not represent her terminal benefits not only because of the transaction description on her account statement but because the statement of account showed that she was entitled to terminal benefits in the sum of USD28,256.30, which benefits were paid on 31 July 2013.”

40. In *Benamar* 2017-UNAT-797, the United Nations Appeals Tribunal held (at paras. 44 and 48),

although a decision of a national court may be subject to criticism by both parties (and also by a third party), it must be obeyed if and

to the extent that it is enforceable. Consequently, the parties should generally comply with an executable judicial decision; otherwise they would be taking justice into their own hands, which is not acceptable according to general principles based on the rule of law.

...

The Organization's internal justice system does not have jurisdiction over civil cases concerning the private or personal life of its staff members, much less to reconsider or ignore a judicial decision by a national court, which is immediately enforceable, albeit subject to appeal. Although this is an international tribunal, it does not have a jurisdictional function over the Member States of the Organization, nor over their nationals. Both the Dispute Tribunal and the Appeals Tribunal are administrative and internal courts, designed to deal with administrative decisions concerning the Organization's staff members and other cases within the narrow scope of competence accorded by Article 2(1) of their respective Statutes.

41. In view of the foregoing, the Tribunal is bound by the Zambian High Court's determination that UNFCU had provided the Applicant with evidence that the funds had been erroneously transferred to her account.

42. Next, the Applicant contends that the 13 July 2022 judgment could not have been validly issued by the High Court of Zambia since the final default judgment she obtained in April 2017 was the only valid judgment. This too is without merit. As mentioned above, the purported final judgment was a falsified document created by the Applicant and has no legal validity or effect.

43. The Applicant made numerous other arguments which are unsupported by evidence and without merit. She claims that this is part of a complicated conspiracy involving: her deceased child and concealment of a serious "femicide fraud and racketeering conspiracy". She also alleges that OIOS interfered to stop the African Commission for Human and People's Rights from deliberating on a complaint she had filed and that certain named citizens from the Economic Community of West African States were involved in her case. The Applicant also claims the "theft" of a 2000 job offer from the International Criminal Tribunal for Rwanda ("ICTR") which was given to somebody else. These issues are beyond the UNDT's jurisdiction, are unrelated to the contested decision, and do not constitute a defence for the Applicant's failure to reimburse the money owed to UNFCU.

44. The Applicant also relies on the privileges and immunities accorded to United Nations staff members to justify her failure to participate in the Zambia High Court proceedings and to comply with the High Court's judgment. This too is misplaced.

45. Staff regulation 1.1(f) provides:

The privileges and immunities enjoyed by the United Nations by virtue of Article 105 of the Charter are conferred in the interests of the Organization. These privileges and immunities furnish no excuse to the staff members who are covered by them to fail to observe laws and police regulations of the State in which they are located, **nor do they furnish an excuse for non-performance of their private obligations.** In any case where an issue arises regarding the application of these privileges and immunities, the staff member shall immediately report the matter to the Secretary-General, who alone may decide whether such privileges and immunities exist and whether they shall be waived in accordance with the relevant instruments (emphasis added).

46. UNFCU is a not-for-profit financial cooperative established in the United States and is subject to the laws and regulations of the United States. UNFCU can bring a legal action in its own right as it did in this case. The legal proceedings brought by the UNFCU against the Applicant were clearly against her in a private/non-official capacity, and the Applicant has an obligation to honour her private legal obligations.

47. In any event, the Applicant should have reported the matter of privileges and immunities to the Secretary-General as required by staff regulation 1.1(f) if she believed that these protections applied to the civil suit against her. Her failure to do so amounts to a waiver of this defence, even were those privileges and immunities applicable. Similarly, the Applicant waived any right to claim she is immune from the Zambia High Court's jurisdiction when she voluntarily invoked that court's jurisdiction by filing a counterclaim.

48. In sum, the Tribunal finds that the facts upon which the disciplinary sanction was issued have been proven. The proven facts are not vague at all, but are clear, convincing and very serious.

Due Process

49. The Applicant alleges that she was never interviewed regarding the allegations against her and that she was “never communicated to in writing to provide [her] side of [the] story”. This is factually incorrect.

50. The record shows that OIOS interviewed the Applicant on 4 March 2021, and she was asked about the material aspects of the case. She confirmed this in her testimony. She was also afforded the opportunity to make additional submissions relating to the allegations and availed herself of this opportunity by submitting written statements and numerous supporting documents during the investigation.

51. During the subsequent disciplinary process, the Organization informed the Applicant of the formal allegations of misconduct against her by letter dated 20 February 2024. She was also provided with all the supporting documentation and requested to comment on the allegations. She requested and received extensions of time to respond, and she ultimately did so on 10 April 2024.

52. Hence the evidence shows that this claim is completely unfounded.

53. Finally, the Applicant alleges that the contested decision was biased and crafted in a discriminatory manner. She accuses the United Nations staff members involved in the investigation and disciplinary processes leading to the contested decision of racial discrimination, harassment and abuse of authority.

54. The Applicant does not provide any evidence to support this allegation and has not filed any complaint against the individuals she accuses of harassment and discrimination. There is nothing in the case record that indicates any bias or discrimination to support the Applicant’s assertion.

55. There were no due process violations of the Applicant’s rights and there is no evidence of discrimination or bias.

56. The Applicant engaged in dishonest conduct. Her conduct is particularly egregious given her previous roles in the United Nations as an investigator and as Chief of the Special Investigations Unit.

Conclusion

57. In light of the foregoing, the Tribunal DECIDES to deny the application in its entirety.

(Signed)

Judge Sean Wallace

Dated this 7th day of February 2025

Entered in the Register on this 7th day of February 2025

(Signed)

Wanda L. Carter, Registrar, Nairobi



Source: <https://www.linkedin.com/in/dorah-likukela-90274b45/>

Printed 7 April 2025



Dorah Likukela · 2nd

PhD Candidate : Criminology and Criminal Justice



- Atlantic International University

Democratic Republic of the Congo · [Contact info](#)

27 connections



Sètondji Roland Adjovi is a mutual connection

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About

Well, I am a multi skilled professional with over twenty years of progressive professional experience, which I gained from my long policing career in Zambia, where I was crowned with a baton of honour for best overall performance in Law and Police Duties, just upon graduation from the Police Academy in 1988. From then on, I grew a fruitful career in criminal investigations, with significant assignments to the Anti-Fraud Unit and at the Task Force on Corruption. Then, in February 2007, I joined the United Nations as a Resident Investigator at with Office of Internal Oversight Services, where I diligently investigated, procurement fraud, SEA and other allegations of violations of the organizations rules and regulations. Further, in May 2008 I was reassigned to the UN mission in East Timor, and assigned to the Serious Crimes Investigation Team, where I diligently investigated crimes against Humanity for over five years;

In addition to all this, when UNMIT closed, I went back home to Zambia where I founded my own Private Security and Investigations company and progressed so well in identifying fraudulent litigations and offering expert advice in incident and crime scene reconstruction.

Furthermore, my current position in MONUSCO gave me significant experience in leading a team of well over 40 staff members, as Interim Chief for 13 months, in which I increased capacity of the team, provided them with guidelines for conducting investigations.

I am passionate, focussed, of high integrity and I possess demonstrated competence in my profession, and I treat all people with respect and dignity. I have worked in investigation teams and led investigations and teams of investigators; and I have worked in the corporate world and in the field. Ever since completing my MA in Public Administration and obtaining my CFE credential, I grew a passion of finding solutions to resolving any allegation to finality and with the help of forensic evidence. Hence my interest in the MSc in Forensic Studies (Investigation Track)

I believe in continuous improvement as well as empowering others, hence my desire of continuously acquiring new skills. I just completed several courses in Data Analytics, offered by Unite Academy.

As a people's person and leader, I like to establish good working relationships with a broad range of people to understand needs and gain support.

I am result oriented and I take my work seriously.

Activity

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In my experience of evaluating the performance of my subordinates . I began by discussing the milestones we achieved together and the challenges we overcame. I then acknowledged the contribution of the particular staff under ev ...show more
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Employer Branding and Talent Attraction presentation was very insightful. Thank you so much to Professor Hassan. I am actually using the knowledge I acquired from all his presentations, in establishing and building a good reputation for my...
- Dorah Likukela commented on a post · 5mo


Thank you so much Dr. Shah for the powerful presentation. It was very educative.

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Experience

- 


Former Chief of Unit-Investigations
United Nations Stabilisation Mission in the DRC (MONUSCO) · Full-time
Dec 2020 – Jun 2024 · 3 yrs 7 mos
MONUSCO-DR CONGO · On-site

I was initially recruited as a P-4/6 Chief of Unit-Investigations and Deputy Chief of the Special Investigations Unit, in MONUSCC ...see more
- 


Chief of Unit -Investigations at MONUSCO
Monusco-UN · Full-time
Dec 2020 – Jun 2024 · 3 yrs 7 mos
DRC · On-site

I was in Charge of all Investigative activities at 3 Units in Kinshasa, Bunia and Entebbe; and at the same time as Deputy Chief of the Special...
- 

CEO
DNL Consultants Limited
Jul 2013 – Dec 2020 · 7 yrs 6 mos
Global

DNL was my own Private Investigations Company. It became an option upon closure of the UN mission I was assigned to in East Timor ...see more
- 

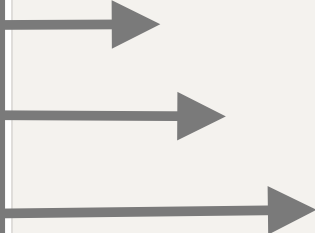
Investigator
UNITED NATIONS- UNMIT
May 2008 – Jun 2013 · 5 yrs 2 mos
Dili- East Timor

To conduct investigations into allegations of Crimes Against Humanity committed during the violence of 1999 in East Timor.
- 

Resident Investigator
UNITED NATIONS-UNMIS
Feb 2007 – May 2008 · 1 yr 4 mos
Khartoum-Sudan

To conduct fact finding prelinmalry investigations into possible violations of the UN's Rules and Regulations

Show all 8 experiences →





Dorah Likukela
PhD Candidate : Criminology and Criminal J...

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← Experience



Former Chief of Unit-Investigations

United Nations Stabilisation Mission in the DRC (MONUSCO) · Full-time
Dec 2020 – Jun 2024 · 3 yrs 7 mos
MONUSCO-DR CONGO · On-site

I was initially recruited as a P-4/6 Chief of Unit-Investigations and Deputy Chief of the Special Investigations Unit, in MONUSCO. However, when I first reported for work, I was assigned as the Interim Chief of the SIU, a P-5 Chief of Section position, for 13 months, in which I had daily control and supervision of all operations of the SIU in MONUSCO, from 14 January 2021 to 2nd April 2022, when the incumbent was recruited.

During such time, I coordinated and supervised investigations of approximately 43 staff members across the DRC and at the UN Logistics base in Entebbe (UNESB); and I still do the same job in my capacity as Deputy to the Chief of SIU and as OIC of the SIU, when the Chief is out of the mission area.



Chief of Unit -Investigations at MONUSCO

Monusco-UN · Full-time
Dec 2020 – Jun 2024 · 3 yrs 7 mos
DRC · On-site

I was in Charge of all Investigative activities at 3 Units in Kinshasa, Bunia and Entebbe; and at the same time as Deputy Chief of the Special Investigations Unit (SIU) in the entire DRC (MONUSCO)



CEO

DNL Consultants Limited
Jul 2013 – Dec 2020 · 7 yrs 6 mos
Global

DNL was my own Private Investigations Company. It became an option upon closure of the UN mission I was assigned to in East Timor (UNMIT).

Just like any other profession. I believe that practice makes perfect, and I decided to continue my career in the private sector, whilst looking for another posting. I specialized in private investigations, fraud examinations and risk analysis. I was also the Principal Consultant on various security management needs. I assisted in producing a Concept paper for establishing the Policing and Security Studies Bachelor's degree, on offer at a University in Zambia.

I also participated in several courses offered by UNITAR. I also spearheaded and assisted in registering of the ACFE Zambia Chapter, in 2014, upon which I was selected as their Interim Vice President up to around 2016.



Investigator

UNITED NATIONS- UNMIT
May 2008 – Jun 2013 · 5 yrs 2 mos
Dili- East Timor

To conduct investigations into allegations of Crimes Against Humanity committed during the violence of 1999 in East Timor.



Resident Investigator

UNITED NATIONS-UNMIS
Feb 2007 – May 2008 · 1 yr 4 mos
Khartoum-Sudan

To conduct fact finding preliminary investigations into possible violations of the UN's Rules and Regulations.



Senior Investigator

Task Force on Corruption, Zambia
Jan 2006 - Feb 2007 · 1 yr 2 mos
Lusaka - Zambia

To conduct investigations into allegations of political economic plunder during the Second Zambian Republic from 1991 to 2002. Activities included tracing and trailing criminal proceeds, travel to foreign jurisdictions under the Mutual Legal Aid Treaty, Asset forfeiture, Arrests and testifying in the courts of law.



Detective Senior Superintendent

Zambia Police Service
Jun 1988 - Jan 2006 · 17 yrs 8 mos
Zambia

I joined the Zambia Police Service a direct entry Sub-Inspector in 1988 and I received a baton of honour, for best overall performance in Law and Police Duties upon graduation. I was then posted to Northern Division where I worked for six months at Kasama Police Station and two and a half years at Mpika Police Station. During my time in Northern Division, I worked in all the Zambia Police Departments on probation and then I settled in the Criminal Investigations Department. I was thereafter transferred to Lusaka International Airport as Head of the Criminal Investigations Team as Chief Investigations Officer (CIO) in 1991. I handled various criminal investigations ranging from aircraft accidents, thefts, narcotics trafficking and fraud and financial crimes. I started travelling to the United Kingdom under the Mutual Legal Aid Treaty in 1992. In September 1993, I was moved to INTERPOL and then to the General Investigations Office at Police Headquarters in 1994, where I worked on various criminal investigations, including the illegal importation of firearms from South Africa to Zambia. In 1996, I was asked to re-organize the Anti Fraud Unit in the entire Zambia Police Service as Deputy Head and I worked there up to 2001 when I was promoted to Head the entire Anti Fraud Unit. I travelled extensively on fraud and financial crimes investigations within Zambia and to Zimbabwe, South Africa, Namibia, Botswana, Tanzania and the United Kingdom. I succeeded in repatriating stolen funds from Namibia and South Africa, and I initiated extradition processes in Zimbabwe. I was seconded to the Task Force on Corruption in 2006 to probe Political Economic Plunder.



Court Work Team Staff

Devon and Cornwall Constabulary
Jul 2002 - Jun 2003 · 1 yr
Exeter, UK

I was placed on the NAREY cases file system where we made sure that once a suspect is charged with an offence, he/she has to be taken to court within seven days.

More profiles for you

Education



Atlantic International University
Doctorate (PhD) in Criminology and Criminal Justice, Criminology
Jul 2023 – Sep 2026
Grade: pending



Stevenson University
Master of Science (MSc) in Forensic Studies, Investigation Track
2011 – 2014
Activities and societies: Investigations and Fraud Examination

I chose the Investigation track with modules in Forensic Information Technology, Criminology, Fraud Investigation and Analysis, White Collar...

Show all 3 educations →

Licenses & certifications



Certified Fraud Examiner
Association of Certified Fraud Examiners
Issued Oct 2011
Credential ID 537372

Skills

Certified Fraud Examiner

1 endorsement

Professional Legal Investigator

1 endorsement

Show all 17 skills →

Languages

English

Full professional proficiency

French

Professional working proficiency

Show all 3 languages →

Interests

Companies Schools



Deloitte
18,411,065 followers

+ Follow



University of Exeter
228,666 followers

+ Follow

Show all companies →

 **Dorah Likukela**
PhD Candidate : Criminology and Criminal J...

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← Skills

- All
- Industry Knowledge


Certified Fraud Examiner

 1 endorsement


Professional Legal Investigator

 1 endorsement

Professional Criminal Investigator

 1 endorsement

Professional Administrative Investigator


 1 endorsement

Investigative and Risk Analyst

Fraud

 3 endorsements


Criminal Justice

 1 endorsement

Criminal Law

 3 endorsements


Private Investigations

 10 endorsements


Evidence

 5 endorsements


Forensic Analysis

 1 endorsement

Police

 1 endorsement

Investigation


 3 endorsements



Criminal Investigations

 3 endorsements


Courts

 1 endorsement

Trials

 1 endorsement

Firearms




 1 endorsement

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Dorah Likukela
PhD Candidate : Criminology and Criminal J...


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Jul 2023 - Sep 2026
Grade: pending

Stevenson University
Master of Science (MSc) in Forensic Studes, Investigation Track
2011 - 2014
Activities and societies: Investigations and Fraud Examination

I chose the Investigation track with modules in Forensic Information Technology, Criminology, Fraud Investigation and Analysis, White Colar Crimes, Investigative Techniques-Physical Evidence and Investigative Techniques- Interviews. I also had to do four core modules in Criminal Justice, Evidence, Forensic Journal Research and Review and a Mock Trial Capstone.

University of Exeter
Master of Arts (MA), Public Administration with Police Studies
2002 - 2003
Grade: Credit
Activities and societies: Transnational Crime and the International Realm

The course included studies in Contemporary Policing, Transnational Crime, Comparative Public Policy, International Relations and the Inter-Paradigm Debate, Evolution of the International System and Public Administration.

I also wrote a dissertation on Domestic Violence showing why victims are repeatedly victimized.

More profiles for you

Likukela: Salary & Employment Costs

Period	Grade	Net Basic Salary	Post Adjustment	Total
Dec 2020 (2 weeks)	P4 (Step 6)	3,461	2,111	\$5,572
Jan to Dec 2021 (12 Months)	Acting P5	89,837	54,800	\$114,637
Jan to Mar 2022 (3 months)	Acting P5	22,665	13,825	\$36,490
Apr to Dec 22 (9 months)	P4 (Step 7)	64,080	39,088	\$103,168
Jan to Dec 2023 (12 months)	P4 (Step 8)	89,104	54,353	\$143,457
Jan to May 2024 (5 months)	P4 (Step 9)	37830	23076	\$60,906
				US\$ 494,230
Compensation <i>in lieu</i> of notice on termination (3 months basic salary)				22,698
				US\$ 516,928

Notes

2021 Net Annual Salary per [ST/IC/2021/5](#)
P4 Step 6: \$83,062. (Monthly: \$6,922)
P5 Step 1: \$89,837. (Monthly: \$7,486)

2022 Net Annual Salary per [ST/IC/2022/3](#)
P5 Step 1: \$90,664. (Monthly: \$7,555)
P4 Step 7: \$85,473 (Monthly: \$7,120)

2023 Net Annual Salary per [ST/IC/2023/5](#)
P4 Step 8: \$89,104 (Monthly: \$7,425)

2024 Net Annual Salary in 2024. No change found
P4 Step 9: \$90,786 (Monthly: \$7,566)

Post Adjustment: 61.3%