2026/HP/EP/030

IN THE HIGH COURT FOR ZAMBIA
AT THE PRINCIPAL REGISTRY
HOLDEN AT LUSAKA
(*Election Jurisdiction*)

IN THE MATTER OF:	ARTICLE 73 (1) OF THE CONSTITUTION OF ZAMBIA (AMENDMENT) ACT NO. 2 OF 2016 OF THE LAWS OF ZAMBIA
IN THE MATTER OF:	SECTIONS 72, 92, 96, 97, 98, 99 AND 100 (2) (a) OF THE ELECTORAL PROCESS ACT NO. 35 OF 2016 OF THE LAWS OF ZAMBIA
IN THE MATTER OF:	PART III OF THE HIGH COURT (ELECTION PETITION) RULES 2026 OF THE LAWS OF ZAMBIA
IN THE MATTER OF:	AN ELECTION PETITION RELATING TO BANGWEULU CONSTITUENCY PARLIAMENTARY ELECTIONS HELD ON THURSDAY, 13TH AUGUST, 2026

BETWEEN:

REUBEN CHAMA — PETITIONER

AND

HAPPY MAMPA — 1ST RESPONDENT

ELECTORAL COMMISSION OF ZAMBIA — 2ND RESPONDENT

REPUBLIC OF ZAMBIA
HIGH COURT OF ZAMBIA
14 SEP 2026
PRINCIPAL REGISTRY
P.O. BOX 50067, LUSAKA

2ND RESPONDENT'S AFFIDAVIT IN OPPOSITION

I, **KABO MILTON**, of Sekondi Village, Samfya, in the Luapula Province of the Republic of Zambia, **DO HEREBY MAKE OATH** and **SAY** as follows:

1. That my full name is as stated above.
2. That I am a Zambian National.
3. That I was the Returning Officer for Bangweulu Constituency, in relation to the Parliamentary Elections held on the 13th day of August, 2026 and I depose to this affidavit from facts and information availed to me within the aforesaid capacity.
4. That I have read the Affidavit verifying facts of the Petitioner ("**the Petitioner's Affidavit**") and wish to respond thereto as follows:

5. That the contents of paragraphs 4 to 6 of the Petitioner's Affidavit are not disputed save to state that there was a delay in the recording of the results as the same takes some time.
6. That the contents of paragraph 7 of the Petitioner's Affidavit are disputed as the 2nd Respondent shall aver that the verification and announcement of election results were suspended by the 2nd Respondent nationwide at approximately 14:00 hours on the 14th August 2026, due to a volatile security situation, persistent threats of violence against polling staff, and the theft of election materials at certain polling stations.
7. That the contents of paragraphs 8 to 15 of the Petitioner's Affidavit are disputed and the I shall aver as follows:
   (i) The suspension by the 2nd Respondent and the subsequent deployment of officers from the Zambia Police Service to the totaling center was occasioned by security concerns following which I, together with all polling staff and stakeholders were instructed to exit the totaling and await further instructions;
   (ii) Further to the foregoing, I did not have in my possession, the ballot papers nor the Gen 20 Results Forms for the remaining unannounced polling stations as the same were in the custody of the Presiding Officers at the respective polling stations awaiting further instructions from the 2nd Respondent;
   (iii) Upon the lifting of the suspension at approximately 20:00 hours on the same day, the verification and announcement of results for the remaining polling stations resumed immediately in the presence of all stakeholders;
   (iv) That at that material time, the totaling center was open to all accredited representatives of organizations, political parties, and candidates, in full compliance with the 2nd Respondent's guidelines;
   (v) Further to the above, I finally made the official declaration of the final results outside the totaling center.
8. That the contents of paragraphs 16 to 28 of the Petitioner's Affidavit are denied and I shall aver that the results captured in the record of proceedings were compiled from official Gen 20 Results Forms received by me from all polling stations in the Constituency and I made the declaration on the 1st Respondent as duly elected member of parliament in good faith.

9. That the contents of paragraphs 29 to 32 of the Petitioner's Affidavit are denied and I shall aver that the results I announced were founded upon a totaling process and figures which accurately reflected the results recorded at the affected polling stations and that the election was therefore conducted and concluded in accordance with the prescribed electoral process.

10. That in the premises, I am advised by the 2nd Respondent's Advocates (Roy Mwala & Co. Legal Practitioners), and verily believe the same to be true, that the Petition is bereft of merit and ought to be dismissed.

11. That I verily believe the content of this my affidavit are true and correct to the best of my knowledge and belief.

SWORN BY the said)
KABO MILTON at Lusaka)
this 11th day of Sept 2026)

DEPONENT

BEFORE ME: _____
COMMISSIONER FOR OATHS

KASEWE BANDA
LEGAL PRACTITIONER
COMMISSIONER FOR OATHS

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ELECTORAL COMMISSION OF ZAMBIA — 2ND RESPONDENT

2ND RESPONDENT'S AFFIDAVIT IN OPPOSITION

Per: Messrs. Roy Mwala & Co. Legal Practitioners
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