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

2026/HP/EP/039

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, 76, 87, 97, 98, 99, 100 AND 108 OF THE ELECTORAL PROCESS ACT NO. 35 OF 2016 OF THE LAWS OF ZAMBIA**
IN THE MATTER OF:	**RULE 9 OF THE HIGH COURT (ELECTION PETITION) RULES, 2026 OF THE LAWS OF ZAMBIA**

AND

IN THE MATTER OF:	**AN ELECTION PETITION RELATING TO THE CHILUBI CONSTITUENCY PARLIAMENTARY ELECTION**

BETWEEN:

SIMON MUSONDA MUWA **PETITIONER**

AND

MATHIAS CHITEMBO **1ST RESPONDENT**

ELECTORAL COMMISSION OF ZAMBIA **2ND RESPONDENT**

REPUBLIC OF ZAMBIA
HIGH COURT OF ZAMBIA
31 AUG 2026
PRINCIPAL REGISTRY 1
P.O. BOX 50067, LUSAKA.

AFFIDAVIT VERIFYING FACTS

I, **SIMON MUSONDA MUWA**, a Zambian National ordinarily resident at Plot No. 360, Linda Road, Bonaventure, Lusaka in the Lusaka District of the Lusaka Province of the Republic of Zambia, **DO HEREBY MAKE OATH AND SAY** as follows: -

1. That my full names and nationality are as stated above, and I am an adult male of sound mind, competent to depose to this my Affidavit.

2. That I was a candidate for the Chilubi Constituency Parliamentary seat in the General Election held on 13th August, 2026, and it is in this capacity, and from facts within my personal knowledge, information and belief, that I depose to this my Affidavit.

3. That the candidates who successfully filed nominations for the Chilubi Constituency Parliamentary seat included myself, standing under the Citizens First party (CF), and the 1st Respondent, Mathias Chitembo, standing under the United National Party for National Development (UPND), among other candidates.

4. That upon the close of the count of the votes cast in Chilubi District, the returning officer declared that out of a total of 32,418 votes cast, your I polled 2,760 votes, the 1st Respondent polled 10,429 votes, the remaining candidates polled a total of 28,187 votes between them, and that 1,460 ballot papers were rejected as invalid. There is now produced and shown to me exhibit marked **'SMM1'** being a true copy of the declaration of the results.

5. That the said total number of votes tabulated by the returning officer and indicated on the Declaration of Result (Form GEN 20b) do not match the total number of votes actually cast and a declaration upon arriving at a sum total of the votes polled by each individual candidate in addition to the total rejected votes.

6. That equally in the Presidential and Local Government elections held on the 13th of August, 2026 the said John Longwe, being the returning officer for Chilubi District, wrongly calculated and declared the total number of votes cast, as such declared total did not tally with the votes polled by each individual candidate in addition to the total rejected votes. There is now produced and shown to me exhibits respectively marked **"SMM2"** and **"SMM3"** being true copies of the declaration of the results for the presidential and council chairperson polls.

7. That I verily believe that the elections in Chilubi District were characterised by low voter turnout which led to less than 50% of the registered voters casting a ballot during the elections.

8. That as a result of the low voter turn-out and the lack of observation monitors at the various polling stations, cadres of the UPND party unlawfully placed pre-marked ballots into the ballot boxes at the polling stations.

9. That during the vote counting process at the respective polling stations neither myself nor my polling agents were not presented with copies of the Gen20 forms outlining the number of votes casts and the votes polled by each respective candidate.

10. That the said Gen20 forms at the polling stations were in fact never produced, thus the votes counted by the 2nd Respondent did not reflect the votes actually cast in the election and duly recorded in the Gen20.

11. That your Petitioner shall further aver that during the vote counting process of the elections held in Chilubi District, there were several acts of violence perpetrated by cadres of the UPND with the full knowledge of the 1st Respondent, and the servants and/or agent of the 2nd Respondent.

12. That I depose to the foregoing paragraphs verily believing the same to be true and correct to the best of my knowledge and belief.

SWORN by the said)
SIMON MUSONDA MUWA)
at Lusaka this _____ day)
of _____ 2026)

_____
DEPONENT

BEFORE ME: _____
COMMISSIONER FOR OATHS

REPUBLIC OF ZAMBIA
HIGH COURT OF ZAMBIA
11 AUG 2026
COMMISSIONER FOR OATHS
P.O. BOX 50067, LUSAKA

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AND

MATHIAS CHITEMBO **1ST RESPONDENT**

ELECTORAL COMMISSION OF ZAMBIA **2ND RESPONDENT**

CERTIFICATE OF EXHIBITS

These are the true and correct exhibits referred to in the Affidavit sworn by one **SIMON MUSONDA MUWA** marked **"SMM1-3".**

Dated at Lusaka the _____ day of _____ 2026.

BEFORE ME: _____
COMMISSIONER FOR OATHS

REPUBLIC OF ZAMBIA
HIGH COURT OF ZAMBIA
31 AUG 2026
COMMISSIONER FOR OATHS
P.O. BOX 50067, LUSAKA