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



2026/HP/EP041

IN THE MATTER OF:	**ARTICLE 73 OF THE CONSTITUTION OF ZAMBIA, CHAPTER 1 OF THE LAWS OF ZAMBIA**
AND	
IN THE MATTER OF:	**SECTION 81, 83, 84, 97, 98 & 100 OF THE ELECTORAL PROCESS ACT, NO. 35 OF 2016**
AND	
IN THE MATTER OF:	**REGULATION 15 OF THE ELECTORAL CODE OF CONDUCT, 2016**
AND	
IN THE MATTER OF:	**THE HIGH COURT (ELECTION PETITION) RULES, 2016 SI NO. 31 OF 2026**
AND	
IN THE MATTER OF:	**THE PARLIAMENTARY ELECTION FOR CHAMA SOUTH CONSTITUENCY DECLARED ON 16TH AUGUST, 2026**

BETWEEN

DANIEL PHIRI — **PETITIONER**

AND

NKHATA JERIX — **1ST RESPONDENT**

THE ELECTORAL COMMISSION OF ZAMBIA — **2ND RESPONDENT**

AFFIDAVIT IN OPPOSITION TO AFFIDAVIT VERIFYING FACTS

I, **MARTIN ANELO ZULU**, a Zambian national of House No. 67, East Rise, Chama District of Eastern Province in the Republic of Zambia, do hereby make **OATH** and **SAY** as follows:

1. That my full name, nationality, and residential address are as stated above.

2. That I am the Returning Officer designated by the 2nd Respondent, the Electoral Commission of Zambia, responsible for the conduct and administration of the Parliamentary Election for Chama South Constituency held on 13th August, 2026, and by

virtue of that position and my involvement in the conduct of the election, I am competent and duly authorised to depose to this Affidavit.

3. That I have read the Petition and Affidavit in Support thereof sworn by the Petitioner, Daniel Phiri, and I depose to this Affidavit in response to the Affidavit Verifying Facts, in particular, in response to the allegations concerning the conduct of the election, the counting and tallying of votes, the participation of polling agents, and alleged conduct that fell short of the provisions and promulgations of the Electoral Process Act.

4. That the Petitioner was one of the five candidates who contested the Parliamentary seat for Chama South Constituency during the General Elections held on 13th August 2026 and stood independently, whilst the 1st Respondent contested the same seat as an independent candidate.

5. That Chama South Constituency comprised 40 Polling Stations, at which a total of 14,948 votes were cast, of which 601 votes were rejected, leaving a total of 14,347 valid votes cast in the Constituency.

6. That following the conclusion of the electoral process, the 1st Respondent obtained a total of 4,338 votes, while the Petitioner obtained 3,220 votes. Accordingly, the 2nd Respondent duly declared the 1st Respondent elected Member of Parliament for Chama South Constituency, having obtained a majority of 1,118 votes over the Petitioner.

7. That I deny the allegations that the campaigns leading up to the General Elections in Chama South Constituency were conducted in the manner alleged by the Petitioner and, in particular, state that I did not record or receive any report of any incident in which the 1st Respondent conducted himself in a manner contrary to or in violation of the provisions of the law.

8. That the only matters raised during the campaign period preceding the General Elections were formally reported to the District Conflict Management Committee, and all such matters and disputes were duly considered and resolved by the said Committee.

9. That on 13th August, 2026, I did not receive any objections or complaints from Polling Agents or other stakeholders in relation to the voting, sorting, counting and verification of votes conducted at the various Polling Stations within Chama South Constituency.

10. That the campaigns leading up to the General Elections held on 13th August, 2026, were conducted in a transparent manner and in conformity with the applicable electoral laws, regulations and procedures.

11. That I depose to the contents of this my Affidavit, verily believing the same to be true and correct to the best of my knowledge and information.

SWORN by the said **MARTIN ANELO ZULU**)
At Chama on the 10th)
Day of September 2026)

DEPONENT

BEFORE ME:

REPUBLIC OF ZAMBIA
MINISTRY OF LOCAL GOVERNMENT AND RURAL DEVELOPMENT
10 SEP 2026
COMMISSIONER OF OATHS
CHAMA TOWN COUNCIL
P. O. BOX 540005, CHAMA

COMMISSIONER FOR OATHS