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

2026/HP/EP/038

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

IN THE MATTER OF: ARTICLE 45 (2) (A) – (E) OF THE CONSTITUTION OF ZAMBIA (AMENDMENT) ACT NO. 2 OF 2026 AS AMENDED BY ACT NO. 13 OF 2025

AND

IN THE MATTER OF: THE ARLIAMENTARY ELECTION HELD ON 13TH AUGUST, 2026 FOR ROMA PARLIAMENTARY CONSTITUENCY

AND

IN THE MATTER OF: CONTRAVENTION OF SECTION 29, 37, 50, 65, 68 (D), 71, 72, 73 AND 81 OF THE ELECTORAL PROCESS ACT NO. 35 OF 2016 AS AMENDED BY ACT NO. 12 OF 2026

AND

IN THE MATTER OF: SECTIONS 97(1), (2)(B) AND (4) AS READ TOGETHER WITH SECTIONS 83 (2), 98(A) (B) AND 99(A) OF THE ELECTORAL PROCESS ACT NO. 35 OF 2016 AS AMENDED BY ACT NO. 12 OF 2026

AND

IN THE MATTER OF: SECTION 4(1) AND (2) (A), (B) AND (C) OF THE ELECTORAL COMMISSION ACT NO. 25 OF 2026

AND

IN THE MATTER OF: PART III OF THE HIGH COURT (ELECTION PETITION) RULES, 2026 (SI NO. 31 OF 2026) OF THE LAWS OF ZAMBIA

AND

IN THE MATTER OF: THE ELECTORAL PROCESS (CODE OF CONDUCT) REGULATIONS, 2011 STATUTORY INSTRUMENT NO. 52 OF 2011

BETWEEN:

CHILANDO CHITANGALA	PETITIONER
AND	
ROSSI KASIKILI	1ST RESPONDENT
ELECTORAL COMMISSION OF ZAMBIA	2ND RESPONDENT
ATTORNEY GENERAL	3RD RESPONDENT

1ST RESPONDENT'S AFFIDAVIT IN OPPOSITION

To The Petitioner's Affidavit Verifying Facts in the Petition

I, ROSSI JOSPHAT KASIKILI residing at Plot No. 2952/M, Kabanana, Lusaka District in the Lusaka Province of the Republic of Zambia DO make OATH and say as follows:

1. THAT my full name and address are as stated above.

2. **THAT** I am a Zambian National.
3. **THAT** I am the 1st Respondent in the above matter by virtue of which I am competent to swear to this my Affidavit.

4. **THAT** I am a member of the United Party for National Development (UPND) and was sponsored by the said UPND as a candidate in respect of the Parliamentary election for Roma Constituency which took place on 13th August, 2026 and I was declared by one **Ms. Aongola Penlope** as the duly election Member of Parliament for Roma Constituency on 15th August 2026. Now produced and shown to me exhibit marked **"RJK/1"** is a copy of the declaration form-Gen20b confirming that I was declared as a duly election Member of Parliament for Roma Constituency.

5. **THAT** my duly appointed election agent registered on the nomination papers is **Mr. Jericho Munsaje** holder of **NRC No. 318905/11/1.** Now produced and shown to me exhibit marked **"RJK/2"** is a copy of the letter sent to the 2nd Respondent indicating the appointment of **Mr. Jericho Munsaje** as my duly appointed elections agent.

6. **THAT** I admit the contents of paragraphs 1, 2 and 3 of the Petitioner's Affidavit Verifying Facts in the Petition.

7. **THAT** I shall state that the contents of paragraphs 4, 5 and 6 of the Petitioner's Affidavit Verifying Facts in the Petition are in her peculiar knowledge and I make no comment.

8. **THAT** the contents of paragraphs 7 and 8 of the Petitioner's Affidavit Verifying Facts in the Petition are totally denied as they are untrue and the 1st Respondent shall state that while it is admitted that the voting timetable was announced to starts at 06:00 hours and close at 18:00 hours, the voting process at UNZA polling stations had to extended beyond the 18:00 hours mark and this was done within the confines of the law so as to allow all the voters that were already on the queues waiting to cast their votes, to exercise their constitutional right to vote for the candidate of their choice, and I am advised by my Advocates of record which advice I verily believe to be true that the law allows that after the 18:00 hours mark for closing of the voting process, every person found to be on the queue waiting to cast their votes should never be turned away but should be allowed to exercise their constitutional right to vote.

9. **THAT** further, I shall state that it is not true that by 17:00 hours all and/or majority of the voters at UNZA polling station had completed the voting process. It is also not true that the counting of the votes had commenced by 18:00 hours at UNZA polling station, instead the correct position is that the counting of votes at UNZA polling station only commenced at 23:00 hours and not 18:00 hours as alleged by the Petitioner.

20. **THAT** I deny in total the contents of paragraphs 9, 10, 11 and 12 of the Petitioner's Affidavit Verifying Facts in the Petition as they are untrue and I will state that neither myself nor my nominated elections agent or persons associated with the UPND ever demanded for the counting of votes to be stopped so that the polling process could be reopened at the UNZA polling station. No such demands were made.

21. **THAT** the contents of paragraph 14, 15 and 16 of the Petitioner's Affidavit Verifying Facts in the Petition are totally denied as they are untrue and misleading and I shall state that no ballot papers were brought in during the counting process or during voting period at UNZA polling station or indeed any other of the 123 polling stations in all the 5 wards in Roma Constituency and further that no vote counting interruption was ever occasioned in order to permit further persons to vote after the official closure of the UNZA polling station.

22. **THAT** I deny contents of paragraphs 17, 18, 19 and 20 of the Petitioner's Affidavit Verifying Facts in the Petition as they are totally untrue and misleading and I shall state further that I never at any point received any reports or witnessed any person voting without verification on the voters' register at the UNZA polling station or stream or indeed in any of the **123 polling stations** in all the **five (5) wards** in Roma Constituency. Further, I verily believe in truth that the Petitioner's claims that voters were allowed to vote after statutory time period lapsed and that voters were issued with extra ballot papers without proper verification against the voters' register is totally unfounded and not supported by any evidence.

23. **THAT** further, I shall state that there was no person that was allowed to vote on the 14th August 2026 at all.

24. **THAT** the contents of paragraphs 21, 22, 23 and 24 of the Petitioner's Affidavit Verifying Facts in the Petition are denied in total as they are untrue and misleading and I shall further state that no counting and voting was conducted contemporaneously in any of the **five (5) wards** and in all the **123 polling stations** in Roma Constituency. Further that in any event, it is impossible for the process of counting to start while the voting process was underway. The schemes alleged to have been organized to procure students to vote for me never existed at all.

25. **THAT** I totally deny the allegations in paragraphs 25 and 26 of the Petitioner's Affidavit Verifying Facts in the Petition and I shall aver that I never engaged myself or through my appointed elections agent or any person associated with me, in acts involving any procuring or encouraging of any UNZA student to attend polling stations and to post in any UPND groups their evidence of having voted for me in consideration for payment of any purported allowances of K200 and K500 for voting for me.

26. **THAT** I deny totally the allegations in paragraphs 27 and 28 of the Petitioner's Affidavit Verifying Facts in the Petition, and I shall state that I have never engaged myself or my appointed elections agent or any person associated with me, in acts involving obstruction and/or confrontation so as to create room for voters to vote forcibly outside the allowable time/period and/or the legally extended time for voting and closing of polls.

27. **THAT** I shall further stat that the Petitioner and her elections agents had actually enjoyed the peaceful, cordial voting and monitoring atmosphere as she and her agents were allowed access to all the 123 polling stations in all the 5 wards in Roma Constituency without any slightest of restrictions and without experiencing any intimidation at all. Further, I shall state that there were no successive voting periods as alleged by the Petitioner.

28. **THAT** the contents of paragraphs 29, 30, 31, 32, 33 and 34 of the Petitioner's Affidavit Verifying Facts in the Petition are in her peculiar knowledge, save to state that I am not aware of any discrepancies alleged because at the point the ballot boxes left the polling stations, I remained with no access or control as to what happens to those materials. Further I shall state that the Roma Constituency Parliamentary Elections were the most peaceful, free and fair elections ever as they were conducted in circumstances that allowed transparency for all parties involved. No irregularities, or malpractice or unequal treatment was ever witnessed that I am aware of.

29. **THAT** contrary to the assertion made in paragraphs 35 and 36 of the Petitioner's Affidavit Verifying Facts in the Petition, I verily believe in truth that the Petitioner has not provided any or even the slightest of evidence that would warrant a nullification of elections by this Court. The Petitioner is thus not entitled to any of the reliefs sought.

30. **THAT** I depose to the facts of this my affidavit within my knowledge and believing the same to be true.

SWORN by the said **ROSSI JOSPHAT KASIKILI**)
At Lusaka the 09th day of September 2026)

Deponent's *Signature*

Before Me: _____
Commissioner For Oaths

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

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

2026/HP/EP/038

IN THE MATTER OF: ARTICLE 45 (2) (A) - (E) OF THE CONSTITUTION OF ZAMBIA (AMENDMENT) ACT NO. 2 OF 2026 AS AMENDED BY ACT NO. 13 OF 2025

AND

IN THE MATTER OF: THE ARLIAMENTARY ELECTION HELD ON 13TH AUGUST, 2026 FOR ROMA PARLIAMENTARY CONSTITUENCY

AND

IN THE MATTER OF: CONTRAVENTION OF SECTION 29, 37, 50, 65, 68 (D), 71, 72, 73 AND 81 OF THE ELECTORAL PROCESS ACT NO. 35 OF 2016 AS AMENDED BY ACT NO. 12 OF 2026

AND

IN THE MATTER OF: SECTIONS 97(1), (2)(B) AND (4) AS READ TOGETHER WITH SECTIONS 83 (2), 98(A) (B) AND 99(A) OF THE ELECTORAL PROCESS ACT NO. 35 OF 2016 AS AMENDED BY ACT NO. 12 OF 2026

AND

IN THE MATTER OF: SECTION 4(1) AND (2) (A), (B) AND (C) OF THE ELECTORAL COMMISSION ACT NO. 25 OF 2026

AND

IN THE MATTER OF: PART III OF THE HIGH COURT (ELECTION PETITION) RULES, 2026 (SI NO. 31 OF 2026) OF THE LAWS OF ZAMBIA

AND

IN THE MATTER OF: THE ELECTORAL PROCESS (CODE OF CONDUCT) REGULATIONS, 2011 STATUTORY INSTRUMENT NO. 52 OF 2011

REPUBLIC OF ZAMBIA
HIGH COURT OF ZAMBIA
09 SEP 2026
P.O. BOX 30067 LUSAKA

BETWEEN:

CHILANDO CHITANGALA — PETITIONER

AND

ROSSI KASIKILI — 1ST RESPONDENT
ELECTORAL COMMISSION OF ZAMBIA — 2ND RESPONDENT
ATTORNEY GENERAL — 3RD RESPONDENT

CERTIFICATE OF EXHIBITS

These are the true and correct copies of the exhibits referred to in the Affidavit of one **Rossi Josphat**

Kasikili now produced and shown to me marked **"RJK/1"** and **"RJK/2"**.

Dated Lusaka this 09th day of September ,2026.

Before Me: _____

Commissioner For Oaths

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

"RJK1"

REPUBLIC OF ZAMBIA

ELECTORAL COMMISSION OF ZAMBIA

THE Electoral Process Act, 2016

(Act No. 35 of 2016)

The Electoral Process (General) Regulation, 2021

GEN 20b
[Regulation 50(2)]
(complete in triplicate)

DECLARATION OF THE RESULTS OF THE POLL - Member of Parliament

I, Aongola Penlope being the Returning Officer for ROMA Constituency. LUSAKA District, do hereby declare that I have, inaccordance with the law, ascertained the results of the poll in the said constituency and that they have been given to:

Name of Candidate	Political Party	Votes	Votes (in words)
KASIKILI J Ross	UPND	17,201	Seventeen Thousand Two Hundred and One
CHITANGALA N Chilando	RP	16,257	Sixteen Thousand Two Hundred and Fifty-Seven
TEMBO E Sean	IND	6,414	Six Thousand Four Hundred and Fourteen
MWENYA LC Gilead	IND	4,209	Four Thousand Two Hundred and Nine
MULENGA M Francis	IND	2,024	Two Thousand and Twenty-Four
BANDA T Tobias	IND	1,230	One Thousand Two Hundred and Thirty
CHUNGU M Zhane	SP	1,166	One Thousand One Hundred and Sixty-Six
CHANSA Robert	CF	536	Five Hundred and Thirty-Six

I further declare that a total of 1,351 ballot papers have been rejected as invalid and that a total of 50,388 Votes were cast.

I therefore declare that the said KASIKILI J Ross to be this day duly elected as Member of Parliament for ROMA Constituency.

Dated this 15 day of August, 2026 Signature: .....

Witnessed by:

Name	Organisation	Signature	Name	Organisation	Signature
B. MWTAMBA	UPND				
J. Mumba	UPND				

1. This form must be completed in sufficient quantities to give one copy to each candidate or their polling agent by the Returning Officer. The Returning Officer must read out aloud the text from the original to the public at the place where the totalling of the votes takes place.
2. The full names of the candidates, party and votes received in figures and words must be inserted in the columns above, with the successful candidate's name at no. 1.
3. The original of this form must be delivered to the Electoral Commission of Zambia by the quickest possible means and a copy must be retained by the Returning Officer.

"RJK1"

Mr. Ross Josphat Kasikili
Aspiring Member of Parliament
Roma Constituency
Lusaka

August 1, 2026

The District Electoral Officer
Lusaka City Council
Lusaka

Dear Sir / Madam,

RE : ELECTION AGENT APPOINTMENT AND ACCREDITATION

The subject matter above refers.

I am writing your office to inform you that as an aspiring Member of Parliament for Roma Constituency of Lusaka District and, in accordance with Electoral (General) Regulations -2026, my Election Agent is **Mr. Jericho Munsanje - NRC : 318905/11/1.**

I therefore request your office to accredit the said as my election agent.

Your positive and speedy response will be highly appreciated.

Ross Josphat Kasikili (Mr)
Aspiring Member of Parliament
Roma Constituency
Lusaka District