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IN THE HIGH COURT FOR ZAMBIA
AT THE PRINCIPAL REGISTRY
HOLDEN AT LUSAKA

2026/HP/EP/ 020



(Civil Jurisdiction)

IN THE MATTER OF: **THE PARLIAMENTARY ELECTION PETITION FOR LIMA CONSTITUENCY SITUATE IN LUSAKA DISTRICT OF LUSAKA PROVINCE OF THE REPUBLIC OF ZAMBIA HELD ON 13TH AUGUST 2026**

IN THE MATTER OF: **ARTICLE 73 (1) OF THE CONSTITUTION OF ZAMBIA AS READ WITH SECTION 98 (C) OF THE ELECTORAL PROCESS ACT NUMBER 35 OF 2016**

IN THE MATTER OF: **SECTION 83 ELECTORAL PROCESS ACT NUMBER 35 OF 2016**

IN THE MATTER OF: **SECTIONS 97, 98 AND 99 OF THE ELECTORAL PROCESS ACT NO.35 OF 2016**

IN THE MATTER OF: **THE SCHEDULE TO THE ELECTORAL PROCESS ACT NO 35 OF 2016**

IN THE MATTER OF: **THE ELECTORAL COMMISSION OF ZAMBIA ACT NO. 25 OF 2016**

BETWEEN:

LEE KABASO MUKUPA	**PETITIONER**
AND	
KELVIN KAUNDA	**1ST RESPONDENT**
ELECTORAL COMMISSION OF ZAMBIA	**2ND RESPONDENT**

PETITION

The Petitioner is **Lee Kabaso Mukupa**, whose address for service is 64 Northgate, Mandevu, off Great North Road, in the City and Province of Lusaka, Republic of Zambia.

1. The Petitioner was a candidate in the Lima Parliamentary Election to which this Petition relates.The election was held on 13 August 2026,

and the Petitioner was adopted as a candidate by the United Party for National Development (UPND).

2. Four candidates contested the election, namely:
   (a) Kelvin Kaunda;
   (b) Lee Kabaso Mukupa;
   (c) Maramwidze C. Barbara; and
   (d) Sinyangwe Moffat.
3. Following the Lima Parliamentary Election held on 13 August 2026, the Returning Officer declared the results as follows:
   (a) Kelvin Kaunda, National Reconciliation Party for Unity and Prosperity (NRPUP): 22,760 votes;
   (b) Lee Kabaso Mukupa, United Party for National Development (UPND): 8,041 votes;
   (c) Maramwidze C. Barbara, Socialist Party (SP): 412 votes;
   (d) Sinyangwe Moffat, Zambia Must Prosper (ZMP): 477 votes;
   (e) rejected votes: 732; and
   (f) total votes cast: 32,422.
4. On 15 August 2026, the Returning Officer declared the 1st Respondent duly elected as Member of Parliament for Lima Constituency.
5. The Petitioner avers that the 1st Respondent was not duly elected.

Grounds of Petition

6. The Petitioner relies on the ground that the 1st Respondent, his agents and polling agents engaged in illegal practices before, during and after the election, contrary to Part VIII of the Electoral Process Act No. 35 of 2016 and Article 45(2)(a) and (b) of Act No. 2 of 2016.
7. In particular, the 1st Respondent and his agents engaged in undue influence, threats, intimidation and violence, and conducted campaigns at polling stations on polling day in the wards within the Constituency.

Particulars of Illegal Practices

8. The particulars of the alleged illegal practices are as follows:

(a) On polling day, the 1st Respondent, his agents and polling agents were seen and heard telling voters to vote for him.

(b) At George Central Primary School, the 1st Respondent and his polling agents told voters that the UPND was a finished party and would return to the Opposition, while chanting slogans including, *"ukuya kwena muleya elo muleya set" and "vote nipali Kelvin Kaunda wapa lampi,"* and flashing the party symbol.

(c) On various occasions before and on polling day, the 1st Respondent and his election agents threatened voters in both wards and at the 14 polling stations.

(d) At Winners Chapel Polling Station, the 1st Respondent and his agents, namely Peter Mumbi and Tom Sakala, harassed voters and threatened them with violence. Although the Police intervened, the conduct continued and voters were thereby turned away.

9. The Petitioner repeats paragraph 10 above and avers that many of his supporters failed to vote, fearing for their lives, in both wards comprising 14 polling stations.

10. At the close of polls at Barlastone, the Petitioner's agents were instructed to sign the Gen 20 forms despite their objection to the counting.

11. The Petitioner and his agents brought the irregularities in the electoral process to the attention of the Returning Officer, but were told to seek redress in Court if they had any grievance.

Effect of the Irregularities

12. As a result of the foregoing events in both wards of Lima Constituency, including the alleged violations of the Constitution and the Electoral Process Act, and the violence and intimidation, the majority of voters in Lima Constituency were prevented from electing their preferred candidate.

Reliefs Sought

13. WHEREFORE, the Petitioner prays for:

(a) an order for a recount of the votes cast in the election;

(b) an order that the 1st Respondent was not duly elected as Member of Parliament for Lima Constituency because voters were prevented from voting for a candidate of their choice;

(c) a declaration that the election of the 1st Respondent as Member of Parliament for Lima Constituency was null and void;

(d) a declaration that Lee Kabaso Mukupa was duly elected as Member of Parliament for Lima Constituency, should the recount confirm that he received the majority of the votes;

(e) any other relief that the Court may deem fit; and

(f) costs.

YOUR PETITIONER WILL EVER PRAY.

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PETITIONER

Dated at Lusaka this ..... day of ..... 2026.

This Petition was settled by:

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ADVOCATES FOR THE PETITIONER

TO: 1ST THE RESPONDENT

Kelvin Kaunda

TO :THE 2ND RESPONDENT

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