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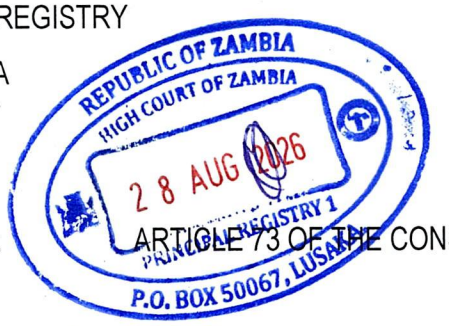
IN THE HIGH COURT FOR ZAMBIA
AT THE PRINCIPAL REGISTRY
HOLDEN AT LUSAKA
(Civil Jurisdiction)

2026/HP/---- EP014



IN THE MATTER OF: ARTICLE 73 OF THE CONSTITUTION OF ZAMBIA

AND

IN THE MATTER OF: SECTIONS 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, 2026, S.I. NO. 31 OF 2026

AND

IN THE MATTER OF: THE PARLIAMENTARY ELECTION FOR CHONGWE EAST CONSTITUENCY DECLARED ON 15TH AUGUST 2026

BETWEEN:

SYLVIA TEMBO MASEBO — PETITIONER

AND

ANITA KAMANGA — FIRST RESPONDENT

ELECTORAL COMMISSION OF ZAMBIA — SECOND RESPONDENT

ELECTION PETITION

The Petition of SYLVIA TEMBO MASEBO of Plot No. 688, 1st Street, Ibex Hill, Lusaka in the Lusaka Province of the Republic of Zambia showeth that—

1. The Petitioner is a Zambian citizen and was a candidate in respect of the Parliamentary election for Chongwe East Constituency.

2. There were 4 parliamentary candidates for Chongwe East Constituency including the Petitioner who had successfully filed her nomination and participated in the election. The other candidate was Anita Kamanga who stood as an Independent Candidate.

3. That Chongwe East Constituency had 75 polling stations presided over by one John Lungu as the Returning Officer. The total number of votes cast was 26,940 out of which 26,126 were valid votes and 814 were rejected by the Returning Officer.

4. That your petitioner polled 6,798 votes whereas the First Respondent polled 16,058 votes and was declared as having been duly elected as Member of Parliament for Chongwe East Constituency.

5. That the campaigns by the First Respondent in the lead up to the election were characterised by conduct which did not comply with the provisions and principles of the Electoral Process Act and the Code of Conduct set out in the schedule to the Act and that this disregard for the law affected the results of the election to the Petitioner's detriment.

6. GROUNDS RELIED ON

GROUND ONE

Violence, intimidation and undue influence

(i) During the run up to the election, the First Respondent and/or persons acting as her election or polling agents or supporters and with her knowledge, consent or approval, engaged in acts of violence, intimidation, threats and harassment against the Petitioner, the Petitioner's agents, supporters and voters in Chongwe East Constituency.

(ii) The conduct was calculated to intimidate voters and interfere with their free electoral choice.

Particulars

(a) On or about 11th July 2026, Mr. Patrick Mudima, a youth chairman in Lwimba Ward and supporter of the Petitioner, was struck by a blue campaign motor vehicle bearing

registration number ALE 3458 and driven by Mr. Phiri, who was associated with the First Respondent's campaign team.

(b) Mr. Mudima sustained injuries to his left leg and right eye, and further on or about 13th July 2026 Mr. Phiri threatened Mr Mudima with further violence.

(c) On or about 12th August 2026, Mr. Phiri again followed and threatened Mr. Mudima while he was collecting his polling agent's identity cards.

(d) On or about 17th July 2026, following a meeting convened by the First Respondent near the Petitioner's campaign camp at Corner Bar, Chalimbana Turn-off, persons attending the meeting threw stones at the Petitioner's supporters and campaign camp, and three gunshots were fired into the air from a grey Toyota Prado associated with the First Respondent.

(e) On or about 23rd July 2026, Mr. Musopelo Tiza, a supporter of the Petitioner, had his foot run over by the blue campaign motor vehicle bearing registration number ALE 3458 which formed part of the First Respondent's campaign team.

(f) On 23rd July 2026 at Bundabunda in the Kapete area of Chongwe East Constituency, the First Respondent and persons accompanying her campaign blocked a vehicle conveying Ms. Elizabeth Kabwata and other supporters of the Petitioner.

(g) The First Respondent handed pepper spray to a person identified as Mr. Oliver, who sprayed Ms. Elizabeth Kabwata, Mr. Aaron Mwambi, Mr. Sunday Mwanza and other supporters of the Petitioner. Several supporters were also assaulted with machetes and wooden axe handles, and Mr. Sunday Mwanza was forcibly taken from the scene and abducted by the First Respondent and her team, subjected to severe torture and interrogation concerning the Petitioner's campaign activities, and only thereafter released.

(iii) The incidents pleaded above formed part of a course of conduct directed at the Petitioner's supporters, agents and/or voters during the campaign period and were calculated to intimidate and discourage their participation in the electoral process.

(iv) The Petitioner shall contend that the said conduct constituted illegal practice and/or other misconduct in connection with the election and was committed by the First Respondent and/or with her knowledge, consent or approval, and that, by reason thereof, voters in Chongwe East Constituency were or may have been prevented from freely exercising their electoral choice.

GROUND TWO

Bribery and vote buying

(i) During the campaign period and in connection with the Parliamentary election for Chongwe East Constituency, the First Respondent and/or persons acting with her knowledge, consent or approval offered, gave, promised or distributed money, foodstuffs and/or other benefits to voters and/or persons capable of influencing voters for the purpose of inducing them to vote for the First Respondent.

Particulars

(a) On or about 2nd August 2026, the First Respondent, while travelling in a black Toyota Harrier, distributed plastic plates and money to persons within Chongwe East Constituency.

(b) On or about 9th August 2026, the First Respondent distributed money and rice to marketers within Chongwe East Constituency.

(c) On or about 12th August 2026, near the Petitioner's campaign camp, the First Respondent left a bundle of cash accompanied by a note offering financial inducements in exchange for votes.

(d) Money from the said bundle was distributed to persons at the Petitioner's camp, including Mr. Samson Phiri, Queen Semu, Aaron Mwambi and Bicious Kangongo, in the sum of K250 each and a K350 to Mr. Sunday Mwanza, respectively.

(e) Throughout the campaign period, the First Respondent and members of her campaign team distributed various gifts including mana pack rice, wheelchairs, mattresses,

footwear and other benefits to members of the public within Chongwe East Constituency.

(ii) The said conduct constituted bribery and/or a corrupt practice and was intended to influence the electoral choice of voters in Chongwe East Constituency.

GROUND THREE

False and defamatory statements

(i) During the campaign period, the First Respondent and/or persons acting with her knowledge, consent or approval disseminated false and defamatory statements concerning the Petitioner with the object or effect of prejudicing the Petitioner's candidature and improperly influencing voters.

Particulars

(a) Sometime in May 2026, the First Respondent and members of her team circulated false publications alleging that the Petitioner had lost the UPND adoption process to the First Respondent and was only adopted by virtue of her position in the Party, thereby portraying her as having obtained an undue advantage.

(b) On 29th May 2026, the First Respondent and members of her team publicly described the Petitioner as a thief and unfit to lead Chongwe East, resulting in proceedings before the Second Respondent's Conflict Management Committee.

(c) On 8th July 2026, persons acting with the First Respondent's knowledge, consent or approval published on a Facebook page called SOLI TV the statement—

> *"If she managed to hide 61 containers do you think she can manage to develop Chongwe zero development 25 years. Let her go and rest."*

(d) During the campaign period, a Facebook page called "Limited Media Tv", associated with the First Respondent, published the statement—

"Once you continue being against the good things Anita Kamanga has done for the People of Chongwe district... we'll continue preaching about the 61 containers of medicine you stole".

(e) The said statements were false, were published with knowledge of their falsity or without belief in their truth and circulated among voters within Chongwe East Constituency.

(ii) The Petitioner shall contend that this conduct, materially compromised the integrity and persuaded majority of the voters in the Chongwe East constituency to refrain from voting for the Petitioner.

(iii) The Petitioner shall contend that these corrupt or illegal practices and/or misconduct were committed by the First Respondent or with the knowledge, consent or approval of the First Respondent or her election/polling agents and that, as a consequence, the majority of voters in Chongwe East Constituency were or may have been prevented from electing the candidate whom they preferred.

(iv) The misconduct occurred across Chongwe East Constituency and comprised defamatory Facebook publications directed at different sections of the electorate during the campaign period and immediately before polling.

(v) The Petitioner shall adduce evidence at trial to demonstrate the extent to which the matters pleaded affected the result and/or prevented or may have prevented voters from freely exercising their electoral choice.

(vi) By virtue of what is stated herein, the First Respondent was irregularly declared winner of the election for the Chongwe East Constituency Parliamentary seat.

YOUR PETITIONER therefore humbly prays—

[1] that it may be determined and declared that the declaration of the First Respondent as winner of Parliamentary seat for Chongwe East Constituency by the Second Respondent is null and void;

[2] That the Second Respondent should re-run the Parliamentary election for Chongwe East Constituency.

[3] That the Petitioner may have further or other reliefs as the court shall deem fit; and

[4] That the First Respondent may be ordered to pay costs of and incidental to this Petition.

AND your Petitioner will ever pray.

Dated this ---------- day of ---------- 2026

Signed by: _____

SYLVIA TEMBO MASEBO
PETITIONER

Drawn and filed by:

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