IN THE HIGH COURT FOR ZAMBIA 2026/HP/EP/034

AT THE PRINCIPAL REGISTRY

HOLDEN AT LUSAKA

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

(Election Jurisdiction)

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: SECTION 55,81,86,87,89,96,97,98,99,100,106,107 AND 108 OF THE ELECTORAL PROCESS ACT, NO. 35 OF 2016.

IN THE MATTER OF: PART III OF THE HIGH COURT (ELECTION PETITION) RULES, 2026 OF THE LAWS OF ZAMBIA.

AND

IN THE MATTER OF: AN ELECTION PETITION RELATING TO SENGA HILL CONSTITUENCY PARLIAMENTARY ELECTIONS HELD ON THURDAY, 13TH AUGUST, 2026.

BETWEEN:

SAFELI MULENGA (MALE) PETITIONER

AND

MUKWAVI C. SICHULA 1ST RESPONDENT

ELECTORAL COMMISSION OF ZAMBIA 2ND RESPONDENT

AFFIDAVIT IN OPPOSITION TO THE AFFIDAVIT VERIFYING FACTS

I, MUKWAVI SICHULA, a Zambian National ordinarily resident at House No. 2, **NSOKOLO VILLAGE, SENGA HILL, NORTHERN PROVINCE** in the Republic of Zambia, **DO** hereby **MAKE OATH** and **SAY** as follows:

1. That the foregoing are my particulars.

2. That I was an aspiring candidate who vied for the Senga Hill Constituency Parliamentary seat held on the 13th day of August, 2026 as an Independent Candidate and by reason whereof I'm competent to depose to the veracity of the facts incapsulated in this Affidavit on the facts within my personal knowledge and belief and those I stumbled upon by virtue of my idiosyncratic position.

3. That I have read what purports to be an Affidavit verifying facts filed by the Petitioner herein and wish to respond as follows:

4. That the contents of paragraphs 2, 4 and 5 are incontrovertible.

5. That the contents of paragraph 4.2 are vehemently denied; at no point did I make the remarks alleged. In fact, the Petitioner only complained about the Parliamentary candidate standing on the Socialist Party Ticket by the name of MATILDA MULENGA and reported the said matter to the committee that she called the petitioner a ritualist. The said committee never received any complaint against the 1st Respondent.

6. That the contents of paragraph 6 are controverted and I will reiterate that I did not make any such remarks against the Petitioner.

7. That I vehemently deny the contents of paragraph 7 and I will aver that I campaigned on a motor bike as I did not have enough resources for a vehicle to ferry anyone. The elections were very peaceful and voters turned to vote on their own volition.

8. That I have no knowledge of the contents of paragraph 8 as I did not send any cadre to threaten or intimidate anyone at all. I'm not aware of anything to that effect.

9. That I admit to contents of paragraph 9 and will aver that the reason why the 2nd Respondent suspended the announcement of the election results countrywide was that there was violence in certain parts of the country and therefore, there was need to restore order before the announcements could continue. The said suspension affected all the polling stations in the country not just Senga Hill Constituency.

10. That further to paragraph 9, what necessitated the said suspension was violent acts of certain people in certain constituencies which constituencies did not include the Senga Hill Constituency and therefore, the Petitioner was not prejudiced in any way in any case.

11. That the contents of paragraph 10 are partially admitted save to clarify that all the Returning Officer were informed to resume the counting once order was restored. This announcement was made on live tv and all the people heard the announcement at the same time as there was no private announcement. Therefore, the announcement affected all the aspiring candidates in the same way.

12. That I controvert the allegations under paragraph 11 and I will aver that I did not, at any point, storm the Totaling Centre at Chanda Yembe ("The Totaling Centre") in the company of 40 – 50 cadres. I'm not aware of any threatening remarks made against any Returning Officer as I did not send anyone to do the same.

13. That the contents of paragraph 12 are within the peculiar knowledge of the Petitioner who shall be put to strict proof thereof.

14. That I admit the contents of paragraph 13 and I will state that I was declared the winner because I legitimately won the election and I had complied with the necessary formalities as outlined in the Constitution and the Election regulations and guidelines.

That I depose to the facts herein verily believing the same to be true and correct to the best of my knowledge and belief.

SWORN by the said **MUKWAVI C. SICHULA}**

At Lusaka this 9 day of Sept 2026}

DEPONENT

BEFORE ME: ----------}

COMMISSIONER FOR OATHS

REPUBLIC OF ZAMBIA
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COMMISSIONER FOR OATHS
P.O. BOX 50067, LUSAKA

Settled by Counsel of: .....

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ADVOCATES FOR THE 1ST RESPODENT