REPUBLIC OF ZAMBIA
HIGH COURT OF ZAMBIA
28 AUG 2026
PRINCIPAL REGISTRY 1
P.O. BOX 50067, LUSAKA

IN THE HIGH COURT FOR ZAMBIA **2026/HP/EP/** 017
AT THE PRINCIPAL REGISTRY
HOLDEN AT LUSAKA
(Civil Jurisdiction)

IN THE MATTER OF: **THE PARLIAMENTARY ELECTION PETITION FOR ISOKA CONSTTUENCY NUMBER 88 SITUATE IN THE ISOKA DISTRICT IN THE MUCHINGA PROVINCE OF THE REPUBLIC OF ZAMBIA HELD ON 13TH AUGUST 2026**

AND

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**

AND

IN THE MATTER OF: **SECTION 83 OF THE ELECTORAL PROCESS ACT NO.35 OF 2016**

AND

IN THE MATTER OF: **SECTION 97 OF THE ELECTORAL PROCESS ACT NUMBER 35 OF 2016**

AND

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

AND

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

AND

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

AND

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

BETWEEN:

NAKAPONDA MARJORIE **PETITIONER**

AND

SICHONE MALOZO **1ST RESPONDENT**

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

PETITION

The humble Petition of **NAKAPONDA MARJORIE** of House No: D48 Mayard, Chinsali, Muchinga Province of the Republic of Zambia **SHOWETH** that: -

1.1 Your Petitioner is **NAKAPONDA MARJORIE**, who was a candidate in the Parliamentary election for the ISOKA Constituency situate in the ISOKA District of the Muchinga Province of the Republic of Zambia having duly filed her nomination in May, 2026.

1.2 The Isoka Parliamentary Constituency consists of six (6) Wards, namely: Kasoka ward, Kawenga Ward, Itukuta Ward, Kantenshya Ward, Kapililonga Ward and Kalungu Ward with 42 Polling Stations: -

1.3 The Isoka Parliamentary Constituency is wholly in Isoka District and violence engulfed the district which affected constituency.

1.4 Two political parties and an Independent candidate validly filed their nominations for the said elections, namely: The United Party for National Development (UPND) whose candidate was Nakaponda Marjorie (female); the National Reconciliation Party for Unity and Prosperity (NRPUP) whose candidate was Sichone Malozo (male); and an independent candidate who goes by the name of Matthews B. Sikanyika.

1.5 The campaigns in Isoka constituency were characterized by undue influence that resulted from threats, intimidation of polling staff, polling agents and voters and violence and buying of votes by the NRPUP candidates that included the 1st Respondent herein which acts were throughout the Constituency for Isoka.

1.6 The Petitioner shall state that due to the foregoing, the election was not conducted substantially in accordance with the Constitution, the Electoral Process Act, the Electoral Code of Conduct, applicable regulations, the official election timetable, and the lawful directions of the Commission. The Petitioner pleads that violence, intimidation and/or conduct capable of interfering with the free exercise of the franchise occurred at or around polling stations in Isoka Constituency, including but not limited to the following incidents: -

(a) The 1st Respondent, his agents and/or Supporters did on 13th August, 2026, while the electoral process was still ongoing, engage in violence and other electoral malpractices against people going to vote within hundred meters from the polling stations where the voters were intimidated and forced to vote for Sichone Malozo while other eligible voters were stopped from entering the polling station to vote when suspected to be more neutral. Furthermore, voters were bribed by giving them money, gifts and promises to influence their votes to vote for Sichone Malozo.

(b) Some of the electoral malpractices in the constituency by the 1st Respondent included promise of financial gain and distributing gifts such as pens wrapped with money to voters before the voters could go in to cast their votes at various polling stations while subtly telling them that inside the

polling station, there were cameras that would show how they would have voted and promised punishment against any dissidence.

(c) The 1st Respondent, his agents and his supporters moved with weapons at polling stations while intimidating voters and polling staff and in some instances using the said weapons to attack voters.

(d) The 1st Respondent and his polling agents and supporters remained within 100 meters of each polling stations after voting while openly campaigning for the 1st Respondent and the other NRPUP candidates vying for election by the electorate in the constituency.

(e) The Petitioner states that for some polling stations, police were called in to help the situation by the ECZ polling staff to avert the ongoing illegalities.

(f) In some instances, the 1st Respondent's polling agents and supporters who remained at the polling Station after voting for the supporters stormed into the polling stations in numbers without accreditation and or authorization, to the detriment of the other innocent participants.

(g) The 1st Respondent's electoral agents and supporters threatened to attack some agents for the Petitioner whom they forced out of the polling eventually, leaving the station not adequately manned to cover inter-alia the Petitioner's interests.

(h) Following some of these irregularities propagated by the 1st Respondent and his agents and supporters, including barging into polling stations to manipulate the electoral process, by 15:00hrs, in Kasoka Ward, old region, the 1st Respondent gave an address to the electorate at Old Region already declaring himself as having won the election, in contravention of the law.

(i) The incidents pleaded above created fear and insecurity, deterred or disrupted the free participation of voters and/or agents, and affected or may have affected the integrity of the election and the result. The Petitioner will rely on witness statements, polling-agent reports, medical or hospital records, police or other official reports, photographs or recordings lawfully obtained, and the Commission's election materials.

(j) In some polling stations, the 2nd Respondent tolerated, by its agents, very well known media persons to be flashing the NRPUP symbol inside and around the polling station without restraint, a thing that caused concerned parties to escalate the matter to management for their removal.

(k) The 1st Respondent and his agents and supporters also chased away of one of our polling agents who was threatened to be killed by if he did not comply, despite the intervention by some polling staff at the polling station.

(l) Before election day, the 1st respondent by himself and his agents and supporters engaged in buying of voter's cards to disfranchise known non sympathizers.

1.7 The aforesaid acts of illegalities specifically and/or particularized in the foregoing paragraphs above were carefully targeted and widespread and affected the majority voters in all the wards that constitute Isoka Constituency.

1.8 There was widespread non-compliance both of the Electoral Process Act and the Electoral Code of Conduct as the 1st Respondent, his agents and supporters and his sponsoring Party the NRPUP disrupted and tempered with the counting, tabulation, transmission and/or aggregation of votes which affected the integrity of election and consequently the final result.

1.9 The Petitioner pleads that the declared result cannot safely be said to reflect the will of the people under the circumstances and cannot be accepted as such without running the danger of injustice. Being occasioned against the Petitioner and other participants.

1.10 The scale and extent of violence, intimidation and other malpractices aforesaid were rampant and widespread on voting day and was of such unbelievable proportion that it resulted in the prevention of the majority of voters from voting for a candidate whom they preferred.

1.11 As a result of the acts of violence and intimidation unleashed by the 1st Respondent by his agents and supporters that characterized the Parliamentary election electorates feared for their safety and the act affected the smooth running of the electoral process to the detriment of the Petitioner.

1.12 The use of bribery, obstruction of voters from entering into polling stations or casting their votes, campaigning at Polling stations by displaying party symbols within the polling station and the surrounding vicinity on the polling day by the 1st Respondent and his NRPUP sponsoring party heavily and negatively influenced the voters not to vote for a candidate of their choice.

1.13 Before the declaration by the 2nd Respondent, the 1st Respondent had already declared himself winner in contravention of the law.

1.14 On Saturday the 15th day of August 2026 the Returning Officer declared the Respondent Sichone Malozo as duly elected Member of Parliament for the Isoka Parliamentary Constituency.

1.15 The results of the Isoka Parliamentary Elections were as follows: -

i) Sichone Malozo of the National Reconciliation party for unity and Prosperity (NRPUP) received 7020 votes;

ii) Nakaponda Marjorie of the United Party for National Development (UPND) received 5110 votes;

iii) Sikanyika B Matthews an Independent Candidate received 176 votes; and

iv) 211 votes were rejected as invalid;

v) Total number of votes cast were 12517.

YOUR PETITIONER, therefore, prays that she be granted the following reliefs:

*(i) That it may be determined and declared by this Honourable Court that **MALOZO SICHONE,** the 1st Respondent herein, was not duly elected as Member of Parliament in **ISOKA** Constituency of Isoka District herein and that the said declaration of the said **MALOZO SICHONE** as having been duly elected as Member of Parliament by the 2nd Respondent by its agents was **NULL AND VOID ABINITIO.***

(ii) An Order that the 1st Respondent be disqualified from being a candidate in the by-election for not complying with the provisions of the Constitution and the Electoral Process Act.

(iii) That the Petitioner may have such further or other relief as may be just.

(iv) That the Respondents be condemned in the costs of and occasioned by this Petition.

YOUR PETITIONER WILL EVER PRAY.

PETITIONER

DATED at Lusaka this _____ day of _____ 2026

Per: _____

Messrs. L.M Chikuta Legal Practitioners
Plot 19 Elm Road, woodlands
P. O. Box RW 50896,
Lusaka.
Email: lchikuta@yahoo.com