IN THE HIGH COURT FOR ZAMBIA **2026/HP/EP/.....029**
AT THE PRINCIPAL REGISTRY
HOLDEN AT LUSAKA
(Constitutional Jurisdiction)

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

IN THE MATTER OF:	**ARTICLE 1(2),(3), AND 8(c),(d),(e) OF THE CONSTITUTION OF ZAMBIA, CHAPTER ONE OF THE LAWS OF ZAMBIA**
IN THE MATTER OF:	**REQULATION 47 OF THE ELECTORAL PROCESS (GENERAL) REQULATIONS, 2016**
IN THE MATTER OF:	**ARTICLE 45(1)(a), (2)(a)(b)(c), 73(1) OF THE CONSTITUTION OF ZAMBIA, CHAPTER ONE OF THE LAWS OF ZAMBIA AS READ TOGETHER WITH SECTION 64, 69, 70, 96, 97, 98 AND 99 OF THE ELECTORAL PROCESS ACT No. 35 OF 2016**
IN THE MATTER OF:	**SECTION 81 (1)(a), 83 (1) (a)(d), (2) OF THE ELECTORAL PROCESS ACT No. 35 OF 2016**
IN THE MATTER OF:	**PART III OF THE HIGH COURT (ELECTION PETITION) RULES 2026**
IN THE MATTER OF:	**AN ELECTION PETITION RELATING TO KASENENGWA CONSTITUENCY PARLIAMENTARY ELECTIONS HELD ON THE 13TH DAY OF AUGUST, 2026**

BETWEEN:

ZIWA LEVISON	**PETITIONER**
AND	
TWASA PHILIMON	**1ST RESPONDENT**
THE ELECTORAL COMMISSION OF ZAMBIA	**2ND RESPONDENT**

AFFIDAVIT VERIFYING FACTS

I, ZIWA LEVISON a Zambian national of House Number 4404, Libala South in Lusaka District of Lusaka Province of the Republic of Zambia **DO HEREBY MAKE OATH** and **SAY** as follows:

1. That my name, nationality and residential address are as stated above.
2. That I am the Petitioner herein and therefore competent to depose to this affidavit from facts within my personal knowledge, belief and information.

3. That I am one of the candidates who contested for the Kasenengwe Constituency Parliamentary seat under the United Party for National Development (**hereinafter referred to as "UPND"**) during the general elections held on the 13th day of August, 2026.

4. That 1st Respondent, Twasa Philimon, was declared the winner of the Kasenengwa Constituency Parliamentary Election by the 2nd Respondent.

5. That the 2nd Respondent declared the following results: Twasa Philimon

NRPUP	14, 582, Ziwa Levison	UPND	13, 339, Mwale Joseph
IND	2, 079, Phiri William	IND	1, 042, Tembo Elias
IND	986, Ngoma Jaston	IND	330, Zulu D. Joseph
ZMP	288		

6. That the election for Kasenengwa Constituency was not free and fair, I verily believe that the said election was conducted in circumstances involving widespread irregularities, intimidation, corrupt practices and procedural violations which materially affected the conduct and outcome of the election.

7. That prior to and during the election, there were widespread threats and acts of intimidation by Village Headmen Mulenga and Headman Malijeni and the 1st Respondent and his Agents across various Wards in Kasenengwa Constituency.

8. That further to paragraph 7, the Village Headmen Mulenga and Headman Malijeni and the 1st Respondent and his Agents warned voters not to vote for my Party and instead directed them to vote for the 1st Respondent's Party.

9. That my supporters and I were subjected to several violent attacks and intimidation during the campaigns and on the day of voting, as we were targeted by the 1st Respondent and his agents.

10. That I am informed by my Agents, and verily believe the same to be true, that the threats and intimidation created a climate of fear among voters and affected the ability of my Agents to freely raise objections during the voting, sorting and counting processes.

11. That the 1st Respondent and his Agents engaged in corrupt practices at various Polling Stations by distributing sausages to voters on polling day and paying money to electorates as an inducement to vote for the 1st Respondent.

12. That at Shamombo Polling Station, my Agents were not provided with GEN 20 Forms to enable them to verify and sign the forms and authenticate the results tallied and announced at the Polling Station.

13. That I verily believe that the failure to provide my Agents with the GEN 20 Forms deprived them of an opportunity to verify the accuracy and authenticity of the results announced at the said Polling Station.

14. That during the voting process, the 2nd Respondent's Presiding Officers at various Polling Stations assisted and, in some instances, voted on behalf of illiterate voters despite protests from my Agents that such assistance should be the last resort when the voter has not come with someone to help them.

15. That during the sorting and counting of ballot papers, the 2nd Respondent's Presiding Officers at various Polling Stations used their mobile phones touches for lighting to count the votes despite the sonar lights being available, thereby causing my Agents to have difficulties to ascertain the sorting and counting of the votes.

16. That my Agents raised objections regarding irregularities observed during the sorting, counting and announcement of results at various Polling Stations.

17. That the objections raised by my Agents were not isolated incidents but were widespread and arose from specific irregularities observed during the sorting, counting and announcement of results.

18. That during the sorting and counting of ballot papers, my Agents observed the 2nd Respondent's Presiding Officers adding rejected ballot papers to the 1st Respondent's valid votes cast.

19. That at various Polling Stations, the votes were counted so hastily that my Agents were unable to properly verify the sorting and counting of the ballot papers.

20. That my Agents raised objections as prescribed to the sorting, counting and announcement of results at, among others, the following Polling Stations:

    (a) Chankhanga; (b) Chikungu; (c) Champhundu Community School; (d) Mpunza (e) Chizuzu School; (f) Mkowe (g) Kadama Community School; (h) Kafupa Primary School; (j) Kawawa School; (k) Chawa (l) Shamombo School; (m) Vungulumwe Community School; (n) Vuze School; (o) Kwenje; (p) Chiparamba; (q) Kapoko; (r) Masamba; and (r) Mkowe Polling Stations.

    There is now produced and shown to me collectively marked **"ZL 1" to ZL 17"** true copies of the objections.

21. That the objections raised by my Agents were rejected by the 2nd Respondent's Presiding Officers, who refused to order a recount notwithstanding the objections raised.

22. That following the rejection of the objections at the Polling Stations, my Agents appealed to the 2nd Respondent's Returning Officer before the final tally, tabulation and declaration of the results. There is now produced and shown to me collectively marked **"ZL 18 to ZL 33"** true copies of the Appeals.

23. That despite the said appeal, the Returning Officer proceeded to announce and declare the final results. There is now produced and shown to me marked **"ZL 34"** as a true copy of the declaration of the result.

24. That thereafter, and in furtherance of the objections raised by my Agents, I lodged a written complaint dated 14th August 2026 with the Returning Officer requesting that the objections raised at various Polling Stations be attended to and determined. There is now produced and shown to me Marked **"ZL 35"** as a true copy of the letter as proof hereof.

25. That notwithstanding the said complaint, the 2nd Respondent failed to address the material objections raised and did not subject the affected ballot papers to a recount and verification.

26. That when I enquired from the 2nd Respondent's Returning Officer on why my appeals were not attended to, the Returning Officer stated that he had written to the District Elections Officer for guidance.

27. That I verily believe that the failure to address the objections and conduct a verification and recount materially prejudiced me and affected the integrity and credibility of the electoral process.

28. That the matters complained of were communicated to and witnessed by my Agents at the various Polling Stations and are supported by the objections, complaints, polling documents and other electoral records in their possession.

29. That the results on 6 GEN20 Forms obtained from my Agents were inaccurately recorded in the Record of Proceedings for the following polling stations: at Samuel School - 01 Polling Station, I obtained 348 votes against the 1st Respondent who got 148 and yet the Record of proceedings are indicative that I got 248 and the 1st Respondent got 248 as well. At Chiparamba – 01 polling Station the GEN20 Form shows that I got 205 against the 1st Respondent who got 108 and yet the Record of Proceedings shows that I got 126 and the 1st Respondent got 260. At Chingazi School – 01 polling Station the GEN20 Form shows that I got 144 against the 1st Respondent who got 47 and yet the Record of Proceedings shows that I got 124 and the 1st Respondent got 67. At Chikungu School – 01 polling Station the GEN20 Form shows that I got 291 against the 1nd Respondent who got 131 and yet the Record of Proceedings shows that I got 271 and the 1st Respondent got 151. At Musukwala New Apostolic Church polling Station the GEN20 Form shows that I got 137 against the 1nd Respondent who got 132 and yet the Record of Proceedings shows that I got 80 and the 1st Respondent got 113. There is now produced and shown to me collectively marked **"ZL 36 to ZL 41"** as true copies of GEN20 Forms.

30. That the Record of Proceedings was inaccurately and erroneously tabulated, resulting in material discrepancies and inconsistencies between the said Record of Proceedings and the GEN20 Forms on record, thereby rendering the record unreliable and incapable of accurately reflecting the proceedings as

recorded in the GEN20 Forms. There is now produced and shown to me marked **"ZL 42"** as a true of copy of the Record of Proceeding.

31. That the discrepancies as shown in the paragraph above clearly shows the 2nd Respondent announced the 1st Respondent as winner on the wrong and inaccurate results.

32. That Yobe Ngoma and James Newa one of my Agents was attacked in Malume Village by the Agents of the 1st Respondent. There is now produced and shown to me marked **"ZL 43 and ZL 44"** as a true copies of the medical reports as proof hereof.

33. That I verily believe that the cumulative effect of the irregularities, intimidation, corrupt practices and procedural violations complained of materially affected the conduct and outcome of the election in Kasenengwa Constituency.

34. That I am advised by my Advocates on record, and I verily believe the same to be true, that this Honourable Court has jurisdiction to order a recount of the votes cast in the Kasenengwa Constituency for the purpose of ascertaining the true winner of the election and bringing this matter to a final and just conclusion.

35. That I verily believe the facts deposed herein are true and correct to the best of my knowledge, information and belief.

SWORN BY the said)
ZIWA LEVISON at Lusaka)
this 28th day of August 2026)

_____
DEPONENT

BEFORE ME: _____
COMMISSIONER FOR OATHS

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