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

2026/HP/EP/035

IN THE MATTER OF: **ARTICLES 47(2), 51, 54,68,72 (2) C, 73 (1) OF THE CONSTITUTION OF THE REPUBLIC OF ZAMBIA**

AND

IN THE MATTER OF: **SECTIONS 81, 89, 97 (1), 98 (C), 99, 100 (2) (a) OF THE ELECTORAL PROCESS ACT NO. 35 OF 2016**

IN THE MATTER OF: **CODE OF CONDUCT RULES 12, 15 (a), (h), (K)**

AND

IN THE MATTER OF: **VUBWI CONSTITUENCY ELECTIONS HELD IN ZAMBIA ON THE 13TH DAY OF AUGUST, 2026**

IN THE MATTER OF: **RULE 9 (1) OF THE HIGH COURT (ELECTION PETITION) RULES 2026, STATUTORY INSTRUMENT NO. 31 OF 2026**

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

BETWEEN:

ACKLEO I. BANDA **PETITIONER**

AND

MARGARET MITI **1ST RESPONDENT**

ELECTORAL COMMISSION OF ZAMBIA **2ND RESPONDENT**

AFFIDAVIT VERIFYING PETITION

The Petition of **ACKLEO I. BANDA** of Mthunzi Village, Chief PembaMoyo Vubwi in the Eastern Province of Zambia **DO HEREBY** make **OATH** and **SAY** as follows;

1. That my full particulars are as stated above.
2. That I am a Zambian National.
3. That I am the Petitioner in this matter hence competent to swear this my affidavit from my personal knowledge and belief.
4. That I was a candidate in the Vubwi Constituency for Parliamentary Elections held on the 13th August, 2026 having successfully filed my nomination papers under the United Party for National Development (UPND).

5. That in the Election referred to in paragraph (4) above, the following persons were candidates namely; Margaret Miti, Ackleo I. Banda, Alex P. Banda and Bathromew Zulu.
6. That the said election was conducted by the 2nd Respondent, the Electoral Commission of Zambia established under Article 76 of the 1996 of the Amended Constitution as read together with Section 19 of the Constitution of Zambia Act No. 1 of 2016.
7. That contrary to the declaration by the Retuning Officer that the 1st Respondent was duly elected, the 1st Respondent was not validly elected for the reasons states hereunder.
    (i) That the 1st Respondent and her Agents were seen interfering with the voters by collecting some voters cards from the UPND members particularly from the UPND strong hold areas such as Zozwe Ward, Mulabe Ward and Sindamizale Ward.
    (ii) That the 1st Respondent and her Agents embarked on using threats by use of a Radio Station in Malawi (Mudzi Wathu Radio Station) to all the UPND supporters living within the borders of Mozambique and Malawi that Zambian Soldiers would be checking on all of them and if found not to have a BCG vaccination such voters would be arrested.
    (iii) That the 1st Respondent and her agents were seen distributing non political branded materials such as salt a night before the day of voting to the voters even after the campaign period was closed.
    (iv) That the 1st Respondent and her Agents embarked on vote buying when they were seen giving out sim cards to the voters on their way to the Polling Stations on the day of voting assuring such voters that the sim cards contained money which was given to them as appreciation for voting in favour of the 1st Respondent and later the said voters were given the pin numbers to withdraw the money.
    (v) That the 1st Respondent and her agents prevented the UPND Polling agents from accessing the totaling centre and other polling stations to monitor the results.
8. That as a consequence of the aforesaid practices committed by the 1st Respondent and her agents, and the unprofessional behavior exhibited by the 2nd Respondent, the majority of the voters in the Constituency and/or Polling stations were prevented from electing their preferred candidate in Vubwi Constituency.
9. That by reason of the aforesaid, the Petitioner was disadvantaged as the playing field was not leveled.

10. That I depose to the contents of this my affidavit verily believing the same to be true and correct to the best of my knowledge and belief.

SWORN by the said)
ACKLEO I. BANDA)
At Lusaka this 31st day of August 2026)

CHARITY NACHIMBA, AHCZ, ASCZ
COMMISSIONER FOR OATHS
LEGAL PRACTITIONER
DATE:.....

BEFORE ME: _____
COMMISSIONER FOR OATHS