IN THE HIGH COURT FOR ZAMBIA **2026/HP/EP/035**
AT THE PRINCIPAL REGISTRY
HOLDEN AT LUSAKA
(Civil Jurisdiction)

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

BETWEEN:

ACKLEO I. BANDA **PETITIONER**

AND

MARGARET MITI **1ST RESPONDENT**

ELECTORAL COMMISSION OF ZAMBIA **2ND RESPONDENT**

AFFIDAVIT IN OPPOSITION TO THE ELECTION PETITION

I, MARTIN JOSAT SAKALA, a Zambian national of House No. 35, Vubwi Centre, along Parish Road, in the Lusaka Province of the Republic of Zambia do hereby make **OATH** and **SAY** as follows:

1. **THAT** my particulars are as stated above.

2. **THAT** I was at all material times the Returning Officer employed by the 2nd Respondent and I served as the duly appointed Returning Officer for Vubwi Constituency during the Parliamentary Election held of the 13th day of August, 2026.

3. **THAT** by virtue of my position, I was the responsible for the supervision, collection, verification and declaration of the official results of the said election therefore I am competent to swear to this affidavit from facts within my personal knowledge, information and belief by virtue of aforesaid position.

4. **THAT** the 2nd Respondent is an independent Constitutional body responsible for administering, managing and supervising elections under the Constitution and the Electoral process A :t.

5. **THAT** I am advised by my Advocates that the 2nd Respondent's statutory independence and regulatory functions do not make it an insurer or guarantor of the private conduct of candidates, political parties, supporters, or members of the general public.

6. **THAT** the election for a Member of Parliament for Vubwi Constituency was held on 13th August, 2026, and I declared the final results on 15th August, 2026. Further in execution of my duties, I managed the Vubwi Constituency Parliamentary Election und :r a strict framework of transparency, impartiality, and efficiency, ensuring that all political players and candidates operated on a completely level playing field.

7. **THAT** regarding the narrative raised in Paragraph of the Petitioner's affidavit concerning the alleged exclusion of UPND agents, I state that the Constituency Totalling Centre was fully accessible to all duly accredited political party agents and candidate representatives.

8. **THAT** I confirm that all accredited agents representing the various candidates were permitted unrestricted entry into the Totalling Centre to witness the tabulation, provided they presented their official accreditation credentials issued under the Electoral Process Act.

9. **THAT** through the tabulation, verification, and declaration stages at the Totalling Centre, political party agents, including those representing the United Party for National Development (UPND), were present, actively followed the calculation of numbers, and raised no contemporaneous written or oral objections to my office regarding any counting errors or structural disruptions.

10. **THAT** I have carefully reviewed the official returns and registers from all polling stations within Vubwi Constituency, and I verify that the total number of actual votes cast did not exceed the total number of registered voters appearing on the official register for any single polling station.

11. **THAT** with respect to the general management of the poll, all polling stations within Vubwi Constituency opened on time, were fully equipped with adequate electoral materials, and operated in an environment of total safety and peace under the protection of state law enforcement agencies.

12. **THAT** throughout the polling, counting, and tabulation hours, my office received no formal reports from independent international observers, local monitoring groups, or presiding officers indicating that registered voters in the border-lying villages were physically blocked or systematically prevented from reaching their designated polling booths.

13. **THAT** I state that all election officials, presiding officers, and polling assistants under my command discharged their public duties with absolute professionalism and administrative consistency, and that the final declared results are an accurate and verified reflection of the valid votes cast by the electorate of Vubwi Constituency.

14. **THAT** I depose to this Affidavit in Opposition to state the true and accurate account of the Vubwi Constituency Parliamentary Election on behalf of the Second Respondent, believing the same to be true and correct to the best of my knowledge and belief.

SWORN by the said)
MARTIN JOSAT SAKALA)
At Lusaka this 8TH day of SEPT 2026)

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DEPONENT

BEFORE ME:.....
COMMISSIONER FOR OATHS

GERALD CHOMBO Esq
LL.B, AHCZ, ASCZ
08 SEP 2026
LEGAL PRACTITIONER
COMMISSIONER FOR OATHS