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

**2026/ HP / EP 032**

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

**IN THE MATTER OF:** **ARTICLE 73 (1) OF THE CONSTITUTION, CHAPTER 1 OF THE LAWS OF ZAMBIA**

**AND**

**IN THE MATTER OF:** **SECTIONS 97 (2) (b) AND 100 (2) (a) AND (3) OF THE ELECTORAL PROCESS ACT NO. 35 OF 2016**

**AND**

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

**AND**

**IN THE MATTER OF:** **PARLIAMENTARY ELECTIONS FOR LUSAKA CENTRAL HELD ON THE 13TH DAY OF AUGUST, 2026.**

**BETWEEN:**

| | |
|---|---|
| **CHARITY CHANDA LUMPA** | **PETITIONER** |
| **AND** | |
| **MUSAIWALE MLEWA** | **1ST RESPONDENT** |
| **ELECTORAL COMMISSION OF ZAMBIA** | **2ND RESPONDENT** |

## AFFIDAVIT VERIFYING FACTS

I, **CHARITY CHANDA LUMPA,** of No. 88 Independence Avenue, in the Lusaka District of the Lusaka Province of the Republic of Zambia **DO MAKE OATH** and **SAY** as follows:

1. That my full name and address are as stated above.
2. That I am a Zambian National.
3. That I am the Petitioner herein and by reason of which I verily believe that I am competent to swear to this my affidavit from facts within my personal knowledge.
4. That I was a parliamentary candidate for Lusaka Central Constituency, under the Resolute Party ticket, in the elections held on the 13th day of August, 2026, and I, together with the 1st Respondent and other persons stated in the Petition, participated in the said elections.

5. That the 2nd Respondent declared Lusaka Central Constituency to have 114 polling stations with a total of 95,689 registered voters.
6. That I observed that voting on the 13th day August, 2026, and commencement of counting of votes on 13th August, 2026 into the morning of 14th August, 2026, in Lusaka Central Constituency had proceeded peacefully with incidences of intimidation by Police officers and identifiable members of the United Party for National Development Party against Resolute Party agents at Ukani, Post Office and NIPA. In most polling stations the agents of the agents were only allowed into the polling stations hours after the voting had commenced, and at Nipa, the agents were not allowed in at all.
7. That the 2nd Respondent as the body with authority to accredit representatives of political parties, local or international election monitors, observers and the media for purposes of monitoring the voting, counting, totaling and announcement of the election, accredited agents of the Resolute Party to monitor the elections in Lusaka Central Constituency.
8. That the Resolute Party agents accredited by the 2nd Respondent were deployed to and stationed in various Polling stations in Lusaka Central Constituency during the voting process and commencement of counting of votes and completion in some polling stations.
9. That some presiding officers exhibited unprecedented behavior by refusing to sign the Gen 20a which had figures indicating that I was in the lead and failing to remedy the situation despite my formal complaint leaving my Party Agents and I in a state of shock.
10. That I wrote a letter to the 2nd Respondent highlighting these irregularities and seeking its intervention. However, that proved futile as no action was undertaken by the 2nd Respondent. Now produced and shown is the letter and copies of the Gen 20a marked **"CCL1"**
11. That contrary to the established rules, the presiding officers for all the polling stations and streams in Lusaka Central, except one stream at David Kaunda (DK) Secondary School, did not announce the results of the parliamentary poll and

display the results at the polling stations and several of them failed, refused or neglected to avail me or my Party Agents with copies of the Gen 20a.

12. That on the morning of 14th August 2026, without any major incidences of violence in Lusaka Central Constituency and without individual presiding officers making decisions to suspend counting and announcing of election results, the 2nd Respondent announced a suspension which the 2nd Respondent stated would be reviewed after 24 hours.
13. That I am advised by my Counsel on record and I believe this to be true that only a Presiding Officer is allowed to declare a suspension of the counting of votes, and this upon good reason.
14. That at the point of the suspension, some polling stations had finished counting parliamentary votes while most of the others were still in the process of counting and had open ballot boxes.
15. That the 2nd Respondent did not provide guidelines for securing the open ballots boxes and accounting for the work in progress, and individual presiding officers adopted varying procedures including just leaving the ballots and election material at the exact point when the suspension was announced.
16. That the 2nd Respondent allowed Soldiers / National Security Officers, who were not accredited and authorized to handle election material, to take charge of the ballots and election material following the suspension of counting and declaration of results.
17. That poll staff who were agents of the 2nd Defendant left the polling stations and evicted Party Agents of the Resolute Party and other observers, leaving the open ballots and election materials under the charge of Soldiers / National Security Officers, without a documented handover.
18. That I verily believe that the 2nd Respondent had no authority to remove Party Agents who were complying with the electoral rules and further, I verily believe that the 2nd Respondent had no authority to hand over the election materials to Soldiers who were not accredited or authorized to handle election material.

19. That around 18:00hrs on 14th August, 2026, while Party Agents and observers had been sent away to return after 24 hours from the morning of the 14th day of August, 2026, the 2nd Respondent lifted the suspension with immediate effect and agents of the 2nd Respondent resumed the counting process in the absence of Party Agents and observers, except for Party Agents of the 1st Respondent's Party who to my surprise were strangely present despite others having been sent away from the polling stations.
20. That following resumption of the Counting, totaling and announcement process in the absence of Resolute Party Agents, and in the absence of documented hand over processes in the polling stations, there was no account of what had transpired to the ballots in the period that the 2nd Respondent had suspended the process and material were left under the care of Soldiers.
21. That I verily believe that the absence of an account of what happened to the election material in the period of the suspension undermined the credibility of the poll result.
22. The officers of the 2nd respondent at the totaling centre at Nakatindi Hall recalled all the presiding officers of the polling stations and compelled them to rewrite the Gen 20 forms stating that some documents had gone missing. That this was done without the witness of polling agents or the agents of the petitioner.
23. That I only learnt on 28th August, 2026, from a copy of a Gen21 I received from the Bodwin Phiri a fellow candidate that on the 17th day of August 2026, and at a time unknown, the Returning officer declared the 1st Respondent as duly elected member of parliament for Lusaka Central without disclosing the record of proceedings and at the time when only Party Agents of the 1st Respondent's Party were present to verify the process. There is now shown to me exhibit marked "CCL/2" a true copy of the GEN21 form as proof thereof.
24. That only party agents for the Respondent's party were present to sign the GEN21.
25. That the results in various polling stations where Resolute Party Agents were excluded and collected forms could not be verified against the results and the few

GEN20 forms collected were not duly completed as required. There is now shown to me exhibit marked "CCL/3"

26. That the 2nd Respondent has failed, omitted or neglected to publish the results per polling station and totaling record for verification and I verily believe that this undermines the confidence, integrity and transparency in the counting process and announcement of results.
27. That I verily believe that the 2nd Respondent had no credible reason to justify the suspension of the Voting and Counting in Lusaka Central Constituency and therefore that the action of the 2nd Respondent was an improper exercise of the discretion it purported to act on.
28. That I verily believe that the actions of the Respondents and those of their agents unfairly influenced the outcome of the voting and were in breach of the Electoral Principles and rules.
29. That I am advised by my Advocates Munati Chambers and I believe this to be true that this Honourable Court has discretion to nullify an election where the same is found to have not been conducted in accordance with the Electoral rules and in a manner that was not transparent or fair.
30. That I verily believe that this is a proper case in which the Court should exercise its discretion.
31. That I depose to the above facts verily believing the same to be true and correct to the best of my knowledge, information and belief.

**SWORN** by the said )
**Charity Chanda Lumpa** )
at Lusaka this 31 day )
Aug 2026 )

.....
**DEPONENT**

**BEFORE ME:** .....
**COMMISSIONER FOR OATHS**

REPUBLIC OF ZAMBIA
HIGH COURT OF ZAMBIA
1 AUG 2026
COMMISSIONER FOR OATHS
P.O. BOX 50067, LUSAKA

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

2026/ ..... / .....

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

**IN THE MATTER OF:** ARTICLE 73 (1) OF THE CONSTITUTION, CHAPTER 1 OF THE LAWS OF ZAMBIA

**AND**

**IN THE MATTER OF:** SECTIONS 97 (2) (b) AND 100 (2) (a) AND (3) OF THE ELECTORAL PROCESS ACT NO. 35 OF 2016

**AND**

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**BETWEEN:**

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| **CHARITY CHANDA LUMPA** | **PETITIONER** |
| **AND** | |
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| **ELECTORAL COMMISSION OF ZAMBIA** | **2ND RESPONDENT** |

## CERTIFICATE OF EXHIBITS

**These are the exhibits referred to in the affidavit of one Charity Chanda Lumpa now produced and marked "CCL/01" to "CCL/03"**
**Dated at Lusaka this ..... Day of ..... 2026**

.....
**COMMISSIONER FOR OATHS**

REPUBLIC OF ZAMBIA
HIGH COURT OF ZAMBIA
31 AUG 2026
COMMISSIONER FOR OATHS
P.O. BOX 50067, LUSAKA




Ms. Charity Chanda Lumpa
P.O. Box 320271
Lusaka
14 August 2026

PRESIDING OFFICER
The ~~Returning~~ Officer
Lusaka Central Constituency
Electoral Commission of Zambia
Lusaka

Dear Sir/Madam,

**URGENT REQUEST FOR SUSPENSION OF DECLARATION, INDEPENDENT VERIFICATION AND RECOUNT OF THE LUSAKA CENTRAL CONSTITUENCY PARLIAMENTARY RESULT: INTIMIDATION OF POLLING AGENTS AND MONITORS ON 13 AUGUST 2026 AND INCOMPLETE GEN 20 FORMS**

1. I am the Resolute Party (RP) candidate for Member of Parliament for Lusaka Central Constituency in the general election held on 13 August 2026. I write to formally record serious irregularities that occurred during voting and counting in this constituency, and to request urgent redress before any result for this constituency is declared.

2. This letter is submitted against the background of the Commission's own announcement on 14 August 2026, that it had, with immediate effect, suspended the counting and announcement of election results nationally, pursuant to section 67(3) of the Electoral Process Act No. 35 of 2016, on account of violence targeting polling staff and the theft of marked ballot papers in some districts. The events set out below fall squarely within the conduct that had prompted the Commission's national suspension, and I ask that Lusaka Central Constituency be treated no differently.

**STATEMENT OF FACTS**

3. At approximately 17:33 hours on 13 August 2026, I received a call from Mr Gabriel Kibombwe, NRPUP mayoral candidate, who had been informed that ballot boxes were being irregularly taken into the polling station at the library on Katondo Street by persons suspected to be UPND cadres.

4. Security personnel were reinforced by drawing officers from the Post Office polling station. A second group of suspected UPND cadres then stormed the Post Office polling station in turn. In both incidents, RP polling agents and monitors on duty were intimidated, assaulted and forced to leave their positions. In their absence, the suspected cadres are alleged to have remained with ECZ officers while counting continued.

5. The Lusaka City Council Library on Katondo Street has nine streams, at which agents and monitors were positioned by the undersigned. At that station, counting was disrupted by a group of suspected UPND cadres who were insisting that ballot papers be "qualified" by reference to the voter's apparent intention rather than the mark used, and sought to have all such ballots counted in their favour. The RP polling agents and monitors were obstructed, and it is alleged that votes were manipulated while the undersigned was leading in the count. The monitor and the RP polling agent present during the count

was then confronted and/or removed from the premises, and it is alleged that ECZ staff allowed the cadres to remain in the polling station during the count, despite this being contrary to the Commission's own rules. As a last resort, the monitor sought the intervention of soldiers who were in the vicinity, at approximately 22:00 to 01:00 hours. However, despite that intervention, the monitor was not permitted to resume his work and was made to leave the polling station, casting doubt on the accuracy of the results recorded for the undersigned. Prior to that point, the undersigned's lead in some streams was as little as 20 votes; shortly afterwards, that lead had turned into a deficit running into three figures.

6. A number of the GEN 20 forms received by the undersigned for streams within Lusaka Central Constituency do not bear the name or signature of the presiding officer responsible for them. Because these forms also fail to identify the polling station or stream to which they relate, the undersigned is unable to say precisely how many streams, or which ones, are affected - a further consequence of the same defect. None of these forms has, to the undersigned's knowledge, been countersigned an RP polling agent present at the relevant count. Such documents cannot properly be treated as valid declarations of result for the streams they purport to record.

7. Comparable incidents occurred at the Post Office, NIPA, David Kaunda Secondary School and Evelyn Hone College polling stations in this constituency. In addition, some polling agents were prevented from reporting for duty at the required time on the morning of the election. They were therefore not present throughout the day of the elections, leaving only the ruling party agents and cadres. In some cases, it is alleged that my ballot papers were discarded as invalid in order to favour the ruling party candidate.

In some polling stations, the presiding officers were even so bostile that they even refused to allow the RP polling agents to receive a copy of the Gen 20 or even take a picture of it. Generally, the requirement that the presiding officers announce the winning candidate and display the Gen 20s for public consumption was not adhered to throughout the constituency by the ECZ presiding officers.

8. These events did not occur in isolation. On 4 July 2026, at approximately 14:30 to 15:00 hours, I was attacked by persons alleged to be UPND thugs, some in party regalia, during a roadshow in Independence Ward that had been duly authorised under the ECZ-approved campaign calendar. I reported the matter to Zambia Police at Central Police Station immediately, and separately to the ECZ Conflict Management Unit at Lusaka City Council. Beyond a single meeting convened by the Conflict Management Unit - which the UPND candidate himself did not attend, sending an uninformed representative in his place - no further action has, to my knowledge, been taken. My property was damaged and members of my team were injured; I was also unable to campaign freely in the town centre and elsewhere in the constituency for the remainder of the campaign period, for fear of further attack.

**LEGAL BASIS FOR THIS REQUEST**

9. The conduct described above is inconsistent with the Electoral Code of Conduct under the Electoral Process Act No. 35 of 2016 and with the Commission's duty to ensure a free, fair and safe electoral process. I note the Commission's own published guidance that a recount at polling station level is available where stakeholders are dissatisfied with the manner in which votes were counted. My agents and monitors were prevented, by force, from raising such dissatisfaction at the time - precisely because of the intimidation described above. That intimidation should not be permitted to extinguish the right to scrutiny that it was designed to obstruct.

to the Commission's

**REQUEST FOR RELIEF**

10. I accordingly request that the Commission:

(a) confirm in writing that no result will be declared for Lusaka Central Constituency until the matters raised in this letter have been investigated and resolved, consistent with the Commission's national suspension of 14 August 2026;

(b) conduct an independent recount and scrutiny of the ballots cast at the affected streams, in the presence of accredited agents of all contesting candidates;

(c) review with the undersigned the copies of the GEN 20 forms for every polling stream in Lusaka Central Constituency;

(d) preserve all ballot papers, ballot boxes, counterfoils, seals and any available CCTV or security footage especially from the Library, Post Office, NIPA, David Kaunda Secondary School and Evelyn Hone College polling stations pending investigation;

(e) investigate the conduct of the ECZ staff alleged to have allowed unauthorised persons – especially those alleged to have even been wearing the ruling party regalia - into the polling stations and to have failed to protect accredited agents and monitors;

(f) confirm the identity of the presiding officer responsible for each of the GEN 20 forms referred to in paragraph 6 above, explain why they do not identify the polling station or stream, or bear the responsible officer's name or signature, and confirm that the figures on those forms have not been, and will not be, relied upon in any announcement or declaration pending verification; and

(g) confirm, in writing, what action has been or will be taken in response to the 4 July 2026 incident reported to Central Police Station and to the ECZ Conflict Management Unit, and the outcome of the meeting convened by that Unit.

11. The polling agents and monitors present at the affected polling stations are willing to provide witness statements and to identify the individuals responsible.

**RESERVATION OF RIGHTS**

12. This letter is without prejudice to, and does not limit, any right I may have to petition the High Court in respect of the parliamentary election for Lusaka Central Constituency. That right is expressly reserved.

13. Given that the Commission had instituted a national suspension of 24 hours, I would be grateful for an equally urgent response, and ask that the Commission treat this letter with the priority the circumstances demand. I can be contacted on 0770508474.

Yours sincerely,

Charity Chanda Lumpa
**Parliamentary Candidate, Lusaka Central Constituency**
**Resolute Party / Tonse Pamodzi Alliance**

CC: ECZ CONFLICT MANAGEMENT UNIT

Annexures (to follow):

A. Record of report to Zambia Police, Central Police Station (4 July 2026 incident)
B. Correspondence with the ECZ Conflict Management Unit (4 July 2026 incident)
C. Names and contact details of polling agents and monitors available as witnesses

**GEN 20a**
Regulations 49(2)
(Complete in triplicate)

THE REPUBLIC OF ZAMBIA

# The Electoral Process Act, 2016

(Act No.35 of 2016)

## The Electoral Process (General) Regulations, 2021

### ANNOUNCEMENT OF THE RESULT OF THE POLL
### PRESIDENTIAL / MEMBER OF PARLIAMENT/ MAYOR/COUNCIL CHAIRPERSON/COUNCILLOR*

I, ..... being the Presiding Officer for .....,
*(Presiding Officer's Name in full in BLOCK CAPITAL)* *(Name and Number of Polling Station)*

in ..... Constituency do hereby announce that I have, in accordance with the law, counted the votes of the poll in the said polling station and that they have been given to:

| No. | Name of Candidate | Party/Independent | Votes (in figures) | Votes (in words) |
|---|---|---|---|---|
| 1. | LUMPA CHARITY | RP | 121 | One hundred and twenty one |
| 2. | MLEWA MSA'I WALE | UPND | 81 | Eighty one |
| 3. | SIKAZWE MOSES | IND | 71 | Seventy one |
| 4. | PHIRI BALWIN | IND | 35 | Thirty five |
| 5. | STAMF PHILIP | IND | 17 | ~~Thirty five~~ Seventeen |
| 6. | KAPAI MORGAN | CF | 14 | Forteen |
| 7. | [illegible] MWILA | IND | 13 | Thirteen |
| 8. | [illegible] ANDREW | IND | 13 | Thirteen |
| 9. | ZULU DABWITSO | IND | 06 | Six |
| 10. | MWANZA SIMON | CDP | 02 | Two |
| 11. | | | | |
| 12. | | | | |
| 13. | | | | |
| 14. | | | | |
| 15. | | | | |
| 16. | | | | |

I further declare that a total of ..... ballot papers have been rejected by me as invalid and that a total of ..... votes were cast.

Dated this ..... day of ..... 20..... Signed: .....

THE REPUBLIC OF ZAMBIA OFFICIAL FORM

**Witnessed by:**

| Name/Party | Signature | Name/Party | Signature | Name/Organisation | Signature |
|---|---|---|---|---|---|
| Daniel Simwanza | [illegible] | | | | |
| [illegible] | [illegible] | | | | |
| [illegible] | [illegible] | | | | |
| [illegible] | [illegible] | IND | | | |
| [illegible] | [illegible] | UPND | | | |
| [illegible] | [illegible] | NRPUP | | | |
| [illegible] | [illegible] | NRPUP | | | |
| | | | | | |
| (Name and Signature of Agents) | | (Name and Signature of Agents) | | (Name and Signature of Agents) | |

### INSTRUCTIONS

1. This form must be completed in sufficient quantities to give **one** copy to each polling agent by the Presiding Officer. The Presiding Officer must read out aloud the text from the original to the public outside and inside the polling station.
2. The full names of the candidates, party and votes received in figures must be inserted in the columns above, with the successful candidate's name at no. 1.
3. The original of this form must be delivered to the Returning Officer together with other materials at the conclusion of the count. Copies can be given to each candidate/party agents and monitors.

**Delete where inapplicable**

COPY COPY COPY

COPYCOPYCOPYCOPYCOPYCOPYCOPYCOPYCOPY

**GEN 20a**
Regulations 49(2)
(Complete in triplicate)

THE REPUBLIC OF ZAMBIA

# The Electoral Process Act, 2016

(Act No.35 of 2016)

## The Electoral Process (General) Regulations, 2021

### ANNOUNCEMENT OF THE RESULT OF THE POLL
### PRESIDENTIAL / MEMBER OF PARLIAMENT/ MAYOR/COUNCIL CHAIRPERSON/COUNCILLOR*

I, ..... being the Presiding Officer for .....,
*(Presiding Officer's Name in full in BLOCK CAPITAL)* *(Name and Number of Polling Station)*

in ..... Constituency do hereby announce that I have, in accordance with the law, counted the votes of the poll in the said polling station and that they have been given to:

| No. | Name of Candidate | Party/Independent | Votes (in figures) | Votes (in words) |
|---|---|---|---|---|
| 1. | [illegible] | [illegible] | 157 | [illegible] |
| 2. | [illegible] MSAIWALE | UPND | 100 | ONE HUNDRED |
| 3. | [illegible] | IND | 53 | FIFTY-THREE |
| 4. | [illegible] | IND | 37 | THIRTY-EIGHT |
| 5. | [illegible] | IND | 23 | TWENTY-THREE |
| 6. | [illegible] | IND | 20 | TWENTY |
| 7. | [illegible] | CF | 16 | SIXTEEN |
| 8. | [illegible] | IND | 04 | EIGHT |
| 9. | [illegible] | IND | 05 | FIVE |
| 10. | [illegible] | CDP | 01 | ONE |
| 11. | | | | |
| 12. | | | | |
| 13. | | | | |
| 14. | | | | |
| 15. | | | | |
| 16. | | | | |

I further declare that a total of ..... ballot papers have been rejected by me as invalid and that a total of ..... votes were cast.

Dated this ..... day of ..... 20..... Signed: .....

THE REPUBLIC OF ZAMBIA
OFFICIAL FORM

**Witnessed by:**

| Name/Party | Signature | Name/Party | Signature | Name/Organisation | Signature |
|---|---|---|---|---|---|
| [illegible] | [illegible] | NRPUP | | | |
| [illegible] | [illegible] | NRPUP | | | |
| | | | | | |
| [illegible] | [illegible] | [illegible] | | | |
| [illegible] | [illegible] | [illegible] | | | |
| [illegible] | [illegible] | [illegible] | | | |
| [illegible] | [illegible] | NRPUP | | | |
| | | | | | |
| (Name and Signature of Agents) | | (Name and Signature of Agents) | | (Name and Signature of Agents) | |

### INSTRUCTIONS

1. This form must be completed in sufficient quantities to give **one** copy to each polling agent by the Presiding Officer. The Presiding Officer must read out aloud the text from the original to the public outside and inside the polling station.
2. The full names of the candidates, party and votes received in figures must be inserted in the columns above, with the successful candidate's name at no. 1.
3. The original of this form must be delivered to the Returning Officer together with other materials at the conclusion of the count. Copies can be given to each candidate/party agents and monitors.

Delete where inapplicable

GEN 21
(Regulation 50(3)(a))
(Complete in triplicate)

REPUBLIC OF ZAMBIA
The Electoral Process Act, 2016
(Act No. 35 of 2016)
The Electoral Process (General) Regulations, 2021

## DECLARATION OF THE RESULT OF THE POLL
## MEMBER OF PARLIAMENT / MAYOR / COUNCIL CHAIRPERSON / COUNCILLOR*

I, KEBBY MUBIANA being the returning officer/District Electoral Officer for LUSAKA CENTRAL District/Constituency/Ward
(Returning Officer's/DEO's Name in Full in Capital Letters)
do hereby declare that I have, in accordance with the law, ascertained the results of the poll in the said constituency, district or ward and that they have been given to:

| No. | Name of Candidate | Party/Independent | Votes (in figures) | Votes (in Words) |
|---|---|---|---|---|
| 1 | MLEWA J. MSAIWALE | UPND | 15981 | FIFTEEN THOUSAND NINE HUNDRED EIGHTY ONE |
| 2 | LUMPA C. CHARITY | RP | 9758 | NINE THOUSAND SEVEN HUNDRED FIFTY EIGHT |
| 3 | SIKAZWE MOSES | IND | 3244 | THREE THOUSAND TWO HUNDRED FORTY FOUR |
| 4 | PHIRI BALWIN | IND | 2909 | TWO THOUSAND NINE HUNDRED AND NINE |
| 5 | BWANGA MWILA | IND | 2022 | TWO THOUSAND AND TWENTY TWO |
| 6 | NSUNGE ANDREW | IND | 968 | NINE HUNDRED SIXTY EIGHT |
| 7 | KAPUI MORGAN | CF | 564 | FIVE HUNDRED SIXTY FOUR |
| 8 | SIAME PHILIP | IND | 517 | FIVE HUNDRED AND SEVENTEEN |
| 9 | ZULU DASWITSO | IND | 261 | TWO HUNDRED SIXTY ONE |
| 10 | MWANZA SIMON | CDP | 159 | ONE HUNDRED FIFTY NINE |
| 11 | | | | |
| 12 | | | | |
| 13 | | | | |
| 14 | | | | |
| 15 | | | | |

I further declare that a total of 776 ballot papers have been rejected as invalid and that a total of 37159 votes were cast.
*The tie of votes recorded has been broken by casting a lot in accordance with the provision of the law.
(Delete if not applicable)
I therefore declare that the said MLEWA J. MSAIWALE to be this day duly elected as MEMBER OF PARLIAMENT for LUSAKA CENTRAL *Constituency/~~District/Ward~~
Dated this 17TH day of AUGUST 20 26 Signed [signature]

Witnessed by:

| | | |
|---|---|---|
| (Name / Party) STEVEN MBENE-UBED<br>Signature) [signature] | (Name / Party)<br>Signature) | (Name / Organization)<br>Signature) |
| (Name / Party) UPND<br>Signature) [signature] ABRAT KABUSHA | (Name / Party)<br>Signature) | (Name / Organization)<br>Signature) |
| (Name / Party)<br>Signature) | (Name / Party)<br>Signature) | (Name / Organization)<br>Signature) |
| (Name / Party)<br>Signature) | (Name / Party)<br>Signature) | (Name / Organization)<br>Signature) |
| (Name / Party)<br>Signature) | (Name / Party)<br>Signature) | (Name / Organization)<br>Signature) |
| (Name / Party)<br>Signature) | (Name / Party)<br>Signature) | (Name / Organization)<br>Signature) |
| (Name / Party)<br>Signature) | (Name / Party)<br>Signature) | (Name / Organization)<br>Signature) |
| (Name / Party)<br>Signature) | (Name / Party)<br>Signature) | (Name / Organization)<br>Signature) |
| (Name and Signatures of Agents) | (Name and Signatures of Agents) | (Name and Signatures of Monitors) |

INSTRUCTIONS
1. This form must be completed with the assistance of the two copies of each candidate or their voting agent by the Returning Officer. The Returning Officer must read out respectively [illegible] the original to the public at the place where the meeting of the votes takes place.
2. The full names of the candidates, party and votes received in figures must be inserted in the relative above, with the exclusion of candidate's name at no. 1.
3. The original of this form must be delivered to the Electoral Commission of Zambia by the quickest possible means and a copy must be retained by the Returning Officer.

*Delete where inapplicable

[illegible]IA 2026/HP/EP/032
AT THE PRINCIPAL REGISTRY
HOLDEN AT LUSAKA
(Civil Jurisdiction)
IN THE MATTER OF: ARTICLE 72 (1) OF THE CONSTITUTION CHAPTER 1 OF THE LAWS OF ZAMBIA
AND
IN THE MATTER OF: SECTIONS 97 (2) (b) AND 100 (2) (a) AND (3) OF THE ELECTORAL PROCESS ACT NO. 35 OF 2016
AND
IN THE MATTER OF: SECTION 9 (1) OF THE HIGH COURT (ELECTION PETITION) RULES, 2026 STATUTORY INSTRUMMENT NO. 31 OF 2026
AND
IN THE MATTER OF: PARLIAMENTARY ELECTIONS FOR LUSAKA CENTRAL HELD ON THE 13 TH DAY OF AUGUST, 2026 AND RESULTS DECLARED ON 17 TH AUGUST 2026.
BETWEEN:
CHARITY CHANDA LUMPA PETITIONER
AND
MUSAIWALE MLEWA 1 ST RESPONDENT
ELECTORAL COMMISSION OF ZAMBIA 2 ND RESPONDENT
ELECTION PETITION
ELECTION FOR LUSAKA CENTRAL PARLIAMENTARY SEAT HELD ON THE DAY OF 13TH AUGUST 2026

The Petition of CHARITY CHANDA LUMPA, whose address for service is No. 88 Independence Avenue, in the Lusaka District of the Lusaka Province of the Republic of Zambia, SHOWS THAT:

1. Your Petitioner is a person who was a candidate at the aforesaid election.

2. And your Petitioner states that the election was held on the 13th Day of August 2026 where the Petitioner Lumpa Charity, the 1st Respondent Mlewa Msaiwale, Bwanga Mwila, Kapai Morgan, Mwanza Simon, Nsunge Andrew, Phiri Balwin, Siame Phillip, Sikazwe Moses and Zulu Dabwitso were candidates and the Returning Officer has returned the 1st Respondent as being duly elected.

3. The electoral process for the Parliamentary Elections in Lusaka Central Constituency were not conducted in keeping with the principles of electoral system as provided for in section 3 of the Electoral Process Act No. 35 of 2016 (hereinafter referred to as the "EPA"), particularly

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su[illegible] following [illegible] election materials and ball representatives of political accredited local or international monitors, observers and the abruptly and without prior not their return to the polling and centres lifted the suspensio immediately resumed the pro counting and announcing res Lusaka Central Constituency evening of 14th August 2026, depriving the Petitioner's Agent the Resolute Party who had been from the centers and premises su opportunity to return to the Polli Totaling centres and to veri integrity of the election ma including ballots were as they ha left at the start of the suspension.

v. On 16th August the 2nd resp called Presiding Officers fro Lusaka Central Polling Stations missing documents and Ge including reports, and those documents were missing were n rewrite the Gen20s and other doc without the verification petitioner's agents. The announ of results was subsequently temp stopped.

b. The 2nd Respondent denied A the Resolute Party access to Gl forms in
56 of the 114 polling districts on of the same being restricted prop the 2nd Respondent, contrary Electoral rules on transparency.

c. The 2nd Respondent did not an the results at Polling Stations exc one stream at David Kaunda Sec School.

d. The 2nd Respondent's re officer for Lusaka Central Const did not announce the r immediately after totaling but until a time unknown or not not the Petitioner or the Resolute announce results which were could not be verified as correct a witnessed only by the 1st Resp agents.

WHEREOF your Petitioner pray may be determined that Respondent, Mlewa Msaiwale duly elected or the election was

4. And your Petitioner pray that

a. The election of the 1st respo declared void;

b. Costs for this petition by bor 2nd Respondent

Dated at Lusaka this ..... ..... 2026

.....

CHARITY CHANDA LUMPA
PETITIONER

Settled by: .....
Munati Chambers
No. 5 Chimungu Close,
Off Mwatusanga Road
P.O. Box 320073
Lusaka

IN THE HIGH COURT FOR ZAMBIA 2026/HP/EP/032
AT THE PRINCIPAL REGISTRY
HOLDEN AT LUSAKA
(Civil Jurisdiction)
IN THE MATTER OF ARTICLE 73 (1) OF THE CONSTITUTION, CHAPTER 1 OF THE LAWS OF ZAMBIA
AND
IN THE MATTER OF: SECTIONS 97 (2) (b) AND 100 (2) (a) AND (3) OF THE ELECTORAL PROCESS ACT NO. 35 OF 2016
AND
IN THE MATTER OF: SECTION 9 (1) OF. THE HIGH COURT (ELECTION PETITION) RULES, 2026 STATUTORY INSTRUMMENT NO. 31 OF 2026
AND
IN THE MATTER OF: PARLIAMENTARY ELECTIONS FOR LUSAKA CENTRAL HELD ON THE 13 TH DAY OF AUGUST, 2026.
BETWEEN:
CHARITY CHANDA LUMPA PETITIONER
AND
MUSAIWALE MLEWA 1 ST RESPONDENT
ELECTORAL COMMISSION OF ZAMBIA 2 ND RESPONDENT
AFFIDAVIT VERIFYING FACTS

I, CHARITY CHANDA LUMPA, of No 88 Independence Avenue, in the Lusaka District of the Lusaka Province of the Republic of Zambia DO MAKE OATH and SAY as follows:

1. That my full name and address are as stated above.
2. That I am a Zambian National.
3. That I am the Petitioner herein and by reason of which I verily believe that I am competent to swear to this my affidavit from facts within my personal knowledge.
4. That I was a candidate in the Parliamentary Elections for Lusaka Central held on the 13 th day of August, 2026 and results declared on 17 th August 2026.
5. That I am aware that the 2nd Respondent conducted the Parliamentary Elections for Lusaka Central held on the 13 th day of August, 2026 and results declared on 17 th August 2026.
6. That I am aware that the 2nd Respondent conducted the Parliamentary Elections for Lusaka Central held on the 13 th day of August, 2026 and results declared on 17 th August 2026.
7. That I am aware that the 2nd Respondent conducted the Parliamentary Elections for Lusaka Central held on the 13 th day of August, 2026 and results declared on 17 th August 2026.
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24. That I am aware that the 2nd Respondent conducted the Parliamentary Elections for Lusaka Central held on the 13 th day of August, 2026 and results declared on 17 th August 2026.

IN THE HIGH COURT FOR ZAMBIA 2026/HP/EP/032
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BETWEEN:
CHARITY CHANDA LUMPA PETITIONER
AND
MUSAIWALE MLEWA 1 ST RESPONDENT
ELECTORAL COMMISSION OF ZAMBIA 2 ND RESPONDENT
EX-PARTE ORDER

UPON HEARING Counsel for the Petitioner;

AND UPON READING the Affidavit of one Jonas Kapungu Matende filed herein;

IT IS HEREBY ORDERED that

1. The Application for an Order to serve process on the 1 st Respondent via substituted service BE and IS hereby GRANTED.
2. The Petitioner shall serve process by way of publication in a newspaper of nationwide circulation.
3. The cost of this application shall be in the cause.

Dated the ____ day of _____ 2026

_____
HIGH COURT JUDGE

Order drawn by Munali Chambers, No. 5 Chinungu Close, off Mwamsanga Road, Woodlands P.O. Box 320073 Lusaka. Email: info@munalilaw.com Advocates for the Petitioner.

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3. That I was a parliamentary candidate for Lusaka Central Constituency, under the Resolute Party ticket, in the elections held on the 13th day of August, 2026, and I, together with the 1st Respondent and other persons participated in the said elections.

4. That the 2nd Respondent declared Lusaka Central Constituency to have 114 polling stations with a total of 95,689 registered voters.

6. That I observed that voting on the 13th day August, 2026, and commencement of counting of votes on 13th August, 2026 into the morning of 14th August, 2026, in Lusaka Central Constituency had proceeded peacefully with incidences of intimidation by Police officers and identifiable members of the United Party for National Development Party against Resolute Party agents at Ukani, Post Office and NIPA. In most polling stations the agents of the agents were only allowe into the polling stations hours after the voting had commenced, and at Nipa, the agents were not allowed in at all.

7. That the 2nd Respondent as the body with authority to accredit representatives of political parties, local or international election monitors, observers and the media for purposes of monitoring the voting, counting, totaling and announcement of the election, accredited agents of the Resolute Party to monitor the elections in Lusaka Central Constituency.

8. That the Resolute Party agents accredited by the 2nd Respondent were deployed to and stationed in various Polling stations in Lusaka Central Constituency during the voting process and commencement of counting of votes and completion in some polling stations.

9. That some presiding

suspension some polling stations had finished counting parliamentary votes while most of the others were still in the process of counting and had open ballot boxes.

15. That the 2nd Respondent did not provide guidelines for securing the open ballots boxes and accounting for the work in [illegible] presiding officers adopted varying procedures including just leaving the ballots and election material at the exact point when the suspension was announced.

16. That the 2nd Respondent allowed Soldiers / National Security Officers, who were not accredited and authorized to handle election material, to take charge of the ballots and election material following the suspension of counting and declaration of results.

17. That poll staff who were agents of the 2nd Defendant left the polling stations and evicted Party Agents of the Resolute Party and other observers, leaving the open ballots and election materials under the charge of Soldiers / National Security Officers, without a documented handover.

18. That I verily believe that the 2nd Respondent had no authority to remove Party Agents who were complying with the electoral rules and further, I verily believe that the 2nd Respondent had no authority to hand over the election materials to Soldiers who were not accredited or authorized to handle election material.

19. That around 18:00hrs on 14th August, 2026, while Party Agents and observers had been sent away to return after 24 hours from the morning of the 14th day of August, 2026, the 2nd Respondent lifted the suspension with immediate effect and agents of the 2nd Respondent resumed the counting process in the absence of Party Agents and observers, except for Party Agents of the 1st Respondent's Party who to my surprise were strangely present despite others

politan stations where Resol Party Agents were excluded collected forms could not be verif against the results and the GEN20 forms collected were duly completed as required. They now shown to me exhibit mark "CCL 3".

26. That the 2nd Respondent [illegible] justified [illegible] pretext for the results announcement and declaration and I verily believe that I undertaking the verification integrity and transparency in counting process and announcem of results.

27. That I verily believe that the 2 Respondent had no credible rea to justify the suspension of Voting and Counting in Lusa Central Constituency and theref that the action of the 2nd Respondent was an improp exercise of the discretion purported to act on.

28. That I verily believe that actions of the Respondents and th of their agents unfairly influen the outcome of the voting and w in breach of the Electoral Princip and rules.

29. That I am advised by Advocates Mmatti Chambers an believe this to be true that this Honourable Court has discretion nullify an election where the sam found to have not been conducted accordance with the Electoral r and in a manner that was transparent or fair.

30. That I verily believe that this proper case in which the C should exercise its discretion.

31. That I depose to the above I verily believing the same to be and correct to the best of knowledge information and beli

SWORN by the said )
Charity Chanda Lump

at Lusaka this da
DEPONENT

.....2026 )

B E F O R E M

COMMISSIONER FOR OATH
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