

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

2021/HP/0358

IN THE MATTER OF ARTICLE 28 (1) OF THE CONSTITUTION OF ZAMBIA

AND

IN THE MATTER OF THE CYBER SECURITY AND CYBERCRIMES ACT NO 2 OF  
2021

AND

IN THE MATTER OF ARTICLE 1(1) AND ARTICLE 2 OF THE CONSTITUTION OF  
ZAMBIA

AND

IN THE MATTER OF THE CONTRAVENTION OF ARTICLES 16, 17, 18, 19 AND 20  
OF THE CONSTITUTION OF ZAMBIA

AND  
BETWEEN:

CHAPTER ONE FOUNDATION LIMITED 1<sup>ST</sup> PETITIONER

BLOGGERS OF ZAMBIA LIMITED 2<sup>ND</sup> PETITIONER

GOVERNANCE, ELECTIONS, ADVOCACY,  
RESEARCH SERVICES (GEARS) INITIATIVE 3<sup>RD</sup> PETITIONER

PEOPLE'S ACTION FOR ACCOUNTABILITY  
AND GOOD GOVERNANCE IN ZAMBIA 4<sup>TH</sup> PETITIONER

ALLIANCE FOR COMMUNITY ACTION 5<sup>TH</sup> PETITIONER

AND

THE ATTORNEY-GENERAL 1<sup>ST</sup> RESPONDENT

THE DIRECTOR OF PUBLIC PROSECUTIONS 2<sup>ND</sup> RESPONDENT



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AFFIDAVIT VERIFYING FACTS

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**We REVEREND SUZANNE MATALE, RICHARD MULONGA, PATRICK KAYAWE KAUMBA, FUMBA CHAMA and LAURA MITI** do hereby make **OATH** and **SAY** as follows:

1. That our full names and address are as stated above.
2. That we are *Zambian Nationals*.
3. That our residential addresses are No 2 Twin Palm Road Kabulonga, 40040 Lilayi Road, Plot 13314 Chalala, Plot 56561 Chalala and No 4 Dennis Lota Road PHI in the City and Province of Lusaka in the Republic of Zambia.
4. That Reverend Suzanne Matale is a Director of the 1<sup>st</sup> Petitioner herein and by reason thereof competent and duly authorised to depose to this affidavit from facts within her personal knowledge.
5. That Richard Mulonga is the Executive Director of the 2<sup>nd</sup> Petitioner and by reason thereof competent and duly authorised to depose to this affidavit from facts within his personal knowledge.
6. That Patrick Kaumba is the Chairperson of the 3<sup>rd</sup> Petitioner herein and by reason thereof competent and duly authorised to depose to this affidavit from facts within his personal knowledge.
7. That Fumba Chama is the Executive Director of the 4<sup>th</sup> Petitioner herein and by reason thereof competent and duly authorised to depose to this affidavit from facts within his personal knowledge.
8. That Laura Miti is the Executive Director of the 5<sup>th</sup> Petitioner herein and by reason thereof competent and duly authorised to depose to this affidavit from facts within her personal knowledge.
9. That on 23<sup>rd</sup> March 2021 the Cyber Security and Cyber Crimes Act No 2 of 2021 was assented into law by the President of the Republic of Zambia.
10. That sections 11, 12, 29, 38, 40, 54, 59, 65, 69, 72 and 74 of the Act severely threaten the right to privacy, the freedom of expression, the right to freely impart and receive information, the freedom of conscience, the freedom of the media and the right to a fair trial.
11. That the said provisions seek to limit the right to privacy, freedom of expression and freedom of the media in a manner that is contrary to the limitations allowed by the Constitution.

12. That the said provisions have potential to be abused in order to stifle dissenting opinions, independent views and critical thought.
13. That if left in their current form the said provisions will have detrimental effects on the participation of citizens in the governance of their country for fear of prosecution under vague laws.
14. That we verily believe that these provisions ought to be struck off.
15. That we verily believe the contents of this our Affidavit are true and correct to the best of our knowledge and belief.

SWORN by the said )  
**REVEREND SUZANNE MATALE**)  
 At Lusaka this ..... day )  
 of .....2021 )

  
 DEPONENT

SWORN by the said )  
**RICHARD MULONGA** )  
 At Lusaka this ..... day )  
 of .....2021 )

  
 DEPONENT

SWORN by the said )  
**PATRICK KAUMBA** )  
 At Lusaka this ..... day )  
 of .....2021 )

  
 DEPONENT

SWORN by the said )  
**FUMBA CHAMA** )  
 At Lusaka this ..... day )  
 of .....2021 )

  
 DEPONENT

SWORN by the said )  
**LAURA MITI** )  
 At Lusaka this ..... day )  
 of .....2021 )

  
 DEPONENT

BEFORE ME: .....

COMMISSIONER OF OATHS





