

ACCUSED NO 13 (SIMON TSEKO NKOLI)

The allegations against accused No 13 in the indictment as amplified by further particulars are that he attended the founding meeting of the VCA on 9 October 1983 where he made a speech calling on the youth to join the freedom struggle. On 3 September he led and controlled the march and looked on as councillor Motjeane was murdered. He identified with the aim of the UDF to overthrow or endanger the government by violent means by co-operating with the UDF and as a member of a body affiliated to the UDF and which actively co-operated in the Vaal Triangle against the government and Black local authority to destroy the latter. He was part of the management structure of the VCA which affiliated to the UDF and thereby became part of the UDF Transvaal and participated in its meetings, planning and organisation. These are the allegations against accused No 13.

There is no proof of the allegations pertaining to the UDF. Accused No 13 was not on the VCA executive and did not attend UDF general council meetings.

He did attend the SOYCO launch on 31 July 1983 and can be seen in the video exh 28. It was a revolutionary meeting. It does, however, not prove the state case as pleaded.

The witness ic.8 testified in support of the allegations in the indictment pertaining to the founding of the VCA, the march and the events at councillor Motjeane's house. His evidence stands uncorroborated on these points. Accused No 13 and a number of other accused denied that accused No 13 had been at the launch of the VCA. They admitted that accused No 13 had participated in the march but denied that he had played any leadership role. Accused No 13 denied that he had been at councillor Motjeane's home.

We find that the state's allegations have not been proved.

Accused No 13 is found not guilty and discharged.

DELMAS TREASON TRIAL 1985-1989

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