

The 8/12 defendants

How the french state uses anti-terrorism for repression of political movements



Anarchist Group Amsterdam



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In this zine

Glossary	3
What is the 8/12 case?	4
Why I am on hunger strike	10
Relevance in the current context	13

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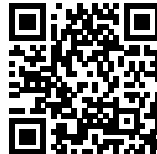
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Glossary

Daesh: Daesh is the Arabic acronym for the Islamic state

DGSI: stands for Direction Générale de la Sécurité Intérieure, which translates to the General bureau of interior security. They are in charge of all surveillance on French territory

Examining magistrate: the judge in charge of directing the investigation

PNAT: parquet national anti-terroriste. National Anti-Terrorist Prosecutor's Office

Tarnac case: another case against left wing activists accused of sabotage, all accused were acquitted and the trial is considered to be a huge fail for the french state

ZAD: zone à défendre, or area to defend. Large-scale land occupation collectively managed

YPG: the Yekîneyên Parastina Gel, the "People's Defense Units" in English. The YPG is a kurdish militant group operating in Syria and fighting against Daesh.

What is the 8/12 case?

The case of 8 December 2020 is an anti-terrorist operation sponsored by the Ministry of the Interior against activists designated as "ultra-left activists" and charged with "association of terrorist criminals".

The DGSI, accompanied by units of militarised police (GAO, RAID), carried out the arrest of nine people whose political commitments were diverse and in different regions: support for refugee families, projects of autonomous and collective centers in the countryside, support for victims of state murders, squatting for political and counter-cultural activities, organizing for the environment and against animal abuse, involvement in ZAD, activism in the punk scene, feminism, etc.

Not all of these nine people know each other. Some had only met once in their lives (during lockdown). But all had a common point, Libre-Flot, targeted by the DGSI since his return from Rojava in 2018, where he had participated in the fight against Daesh, with the YPG.

Accusations

At the time of their arrest, everyone was living in different regions, although the DGSI claimed to have prevented a "wave of attacks against law enforcement" and the media coverage shared these suspicions for a few days. Yet the accused, their relatives and their lawyers deny these accusations, which are based on "devil extrapolations".

They are accused with certain "material evidence" which spread over just two months and concern different persons: the possession of weapons, the manufacture of explosives, the practice of AirSoft and the use of secure communication tools. These facts are either perfectly legal or ordinary offences, and the accused are prepared to bear the consequences. But DGSI and Justice are trying by every means to bring this into a "terrorist" framework.

To do this, all the rest of their activities (professional, militant or family projects) that deny the accusations are covered up to retain only "accusatory" elements that the extensive surveillance into their life gathered. As one of the accused says, "the file is based on a set of separate elements that have nothing to do with each other overall but which, decontextualized and scraped, allow to build a decor."

The facts of possession of weapons and manufacture of explosives are overstated. Most of the weapons were legally obtained, and in addition the types

of rifles and the low quantity of ammunition is ridiculous to fit the theory of the police. In comparison, in June 2022 and November 2021 the police seized large amount of weapons and amunitions from fascists groups. In both case, this did not interest the state to accuse them of being a terrorist organization. In a similar way, the fabrication of explosives is not more than a curiosity project, rather than a serious preparation for a supposed attack. Finally, a few airsoft afternoons become guerilla trainings rather than a way to spend time.

The use of secure communication methods

The Quadrature du Net (group for digital rights and freedom) recently demonstrated how the DGSJ transformed common digital self-defence practices into a "clandestine behavior" and a "culture of secrecy" that would demonstrate the alleged terrorist intentions of the accused. It is the same type of paranoid extrapolations that occur at all levels of the file, reaching crazy levels of assumption that the accused are guilty.

The use of WhatsApp, Signal, Tails, Tor, eOS, Jitsi, Telegram, (etc.) are assimilated to pre-terrorist behaviour. Three accused are also prosecuted for "refusal to disclose its decryption procedure", a new offence introduced in June 2016 "strengthening the fight against organized crime, terrorism and their financing". This crime undermines the fundamental right not to self-incriminate (the right to silence).

Preventive detention (and white torture)

These preventive arrests led to five pre-trial detentions in extreme conditions. Detentions ranged from four and a half months of detention under a special regime to 16 months of solitary confinement (ending with a stressful hunger strike). Several "anti-terrorist" measures have been unlawfully administered against the accused, including a 15-month solitary confinement for Libre Flot, and incessant strip searches for Camille. The State has recently been condemned (timidly) for some of these violent measures.

Support committees, relatives and lawyers kept denouncing the use of prison isolation for the purpose of "white torture". Throughout his incarceration, Libre Flot took care to warn about the effects of isolation on his health. While he witnessed serious loss of memory, inability to concentrate, chronic migraines (etc.), the Investigative Judge continued (knowingly) to conduct interrogations, exploiting the situation sadly. In April 2022, he finally dared to release him (under electronic bracelet) "for medical reasons", after 36 days of hunger strike, an international day of mobilization and a Tribune demanding his release. One

year after isolation, injury remains present.

Investigation to condemn

The appointed investigating judges made the case a personal matter from the outset. From their first interaction with the accused, their hatred can be seen in their tone, their comments, their class contempt. The first obstruction to the defence of the accused was (apart from detention) the refusal to give them access to their own files. The purpose of this was to prevent the Defence from making applications for nullity (i.e., to have items cancelled if irregularities are found). Libre Flot also testified several times of the outrageous behavior of the examining magistrate: access to anger, insults, etc. He denounces in his statement of hunger strike: "the same tortuous techniques as the DGSI: manipulation, decontemplating, omission and invention of words and facts in order to try to influence the answers".

Despite this effort to demonstrate the indemonstrable, the investigation was forced to admit at a minimum that "no passage to the imminent act seems to have been envisaged". Thus, the "criminal" case deflates into "correctional". Without an ounce of shame, the examining magistrate wrote in his order of reference: "Participation in the group is punishable on its own, without the need to demonstrate participation in the crimes or their preparation. Similarly, it is unnecessary to demonstrate the precise and concrete knowledge of the project initiated by the group.»

To sum up: no group formed, no preparation for actions (no crime, no sabotage), no political agreement, no preparation for hiding, but still guilty?! The ideology of certain magistrates has definitely capsized the Law in troubled waters... The DGSI and the PNAT do not hesitate to use the most dishonest conspiracy to fill the emptiness of their file. It must be said that the very young National Anti-Terrorist Public Prosecutor's Office is holding their first ultra-left case and they do not want to give up.

They also regularly leaked completely false elements in the radical and extreme right-wing press. An article in the Figaro mixed Libre Flot with another internationalist activist. Then, following the publication of an investigation file by the Quadrature du Net into the assimilation of encryption into terrorist behaviour, representatives of the PNAT said in a symposium on digital technology: "There will be a media response". The answer came a few weeks later, with an article in France Info that once again shook on Libre Flot, adding weapons and explosives to his truck that never existed.

The correctional case

A preliminary hearing was held on 4 July 2023 in Paris in the presence of the all the accused, that haven't seen each other in 3 years, or never even met for some. The trial dates are set by the judge, without taking into account the agendas of certain lawyers. The Defence calls for the lifting of the Judicial Controls of the accused, which continue to harm their humanity and make it very difficult to prepare the trial, in particular because they prohibit them from communicating between them, even though the investigation is over. All requests made by the accused are refused by the Judge. The criminal trial was held from 3 to 27 October 2023 in Paris.

The first week was devoted to the study of personalities. At the beginning of the trial, the judge rereads the reports of the personality investigator and questions the accused about their personal experiences. It starts with the school path, the criminal history and the various jobs performed. As a reminder, these investigations, ordered by the investigating judge, took place several months after the arrests, while many of their defendants were still in detention.

For the only one of them who responded to a judicial psychologist, trapped during his detention by a false lawyer, the judge starts directly with this report. It is important to note that this report is a biased opinion, requested by the investigation and with the purpose to classify people according to what justice defines as normal or deviant. Another defendant is questioned about a letter sent to the investigating judge explaining the refusal of the same psychiatric and psychological expertise. This letter, however totally legitimate and which has the merit of clearly stating the reasons for their refusal, becomes an object of stress and questioning from the investigation.

The second week was devoted to the most "serious" facts, i.e. explosive fabrication tests and possession of weapons by the accused (coupled with the parts of airsoft), where the interrogations are much longer and can last 6 hours. At each interrogation, the judge uses the same method and systematically starts with the comments made in custody. In doing so, she locks the defendant in a speech often held in a state of shock and sideration, and it is much more difficult for them to make their voice heard in the present. Even if the accused completely refutes the statements made in custody, the judge returns to them as if she did not take into account the conditions under which these statements were made.

If the defendant remained silent in custody, either the judge starts with the first interrogations of the investigating judge or with an intrusion into the personal life of the defendant through private and other conversations. In

general, judges and prosecutors will use all the elements available to them in the order of the intimate: love relationships, family relations, to spread all the life of the defendants and use it against them.

When it is their turn, the prosecutors repeat the questions of the judge, in a more overwhelming, aggressive and direct manner. Of course they will also have their own questions, always insidious and hostile.

The last day (only one day!) of debate was devoted to the non-existent, "project". The following day is devoted to the speech of prosecutors, who pitifully try to make totally extravagant links between facts not related and inventing ideological filiations out of his sleeve... The trial ended with the pleadings of the twelve defence lawyers, which took place over two days. The judge fixed the date of the deliberations at 2 months later, 22 December 2023.

The four weeks of trial during which the accused and their lawyers worked to dismantle a fully charged investigation did not change anything. Nothing seems to reach the judge, who went so far as to refuse to ask the cops responsible for the investigation to explain their methods. She won't accept any of the defense requests. The seven accused are therefore found guilty of "association of terrorist criminals" and three of them "refusal to disclose their decryption agreements".

Sentences range from 2 to 5 years in prison, including probation. Hard prison periods are imposed for five accused. In view of the time already spent incarcerated in pre-trial detention, they still have between 8 and 12 months to be purged. The registration in the Terrorist Offender File (FIJAIT), which imposes them 20 years of surveillance, the obligation to check in at police stations and of the impossibility of moving as they see fit, is valid for 6 of the 7 accused.

The prohibition of communication between themselves during the entire period of their sentence is also imposed, a sadistic invention of the judge who was not requested by the prosecution. To this is added a panel of measures of medical-social control (obligation to care, work, permanent residence...) making their life a long series of appointments at the shrink, the addicto, the educator... to ensure their "reintegration".

Florian – 5 years including 30 months with probation. Left to purge: 8 months of bracelet.

Simon – 4 years including 25 months with probation. Left to purge: 12 months of bracelet.

William – 3 years, 20 months with probation. Left to purge: 12 months of

bracelet.

Camille – 3 years including 2 years with probation. Left to purge: 8 months of bracelet.

Manual – 3 years including 15 months with probation. Left to purge: 11 months of bracelet.

Bastien – 3 years with probation.

Loïc – 2 years of probation. No FIJAIT registration.

The accused make an appeal

Six of the defendants decided to appeal the court decision. Why make an appeal, when we have no more confidence in the Court of Appeal than in the Court of First Instance? Because beyond the personal need not to be dragged into the mud and ruin your life without reacting, there is a collective need not to let such a case be engraved in the marble. It would always leave more power for the state to use the means of anti-terrorism to suppress revolutionary practices, struggle, or even simply words and ideas. All appeals will therefore be used until the end, although the PNAT does not like it. The appeal will take place in the month of may 2026.

Why I am on hunger strike

This text is available online on <https://solidaritytodecember8.wordpress.com/>

For more than 14 months I have been refuting this infamous and defamatory accusation of terrorist association. It has been more than 14 months since the General Directorate for Internal Security (DGSI) explained to me that I was not arrested for what they wanted me to believe, namely my involvement with the Kurdish forces against Islamic state (Daesh) in Rojava.

It has been more than 14 months during which time nothing validated the thesis elaborated from scratch by the DGSI, even though for at least 10 months I have been followed, traced, bugged 24 hours a day in my vehicle, my home, spied on even in my bed.

For more than 14 months I have understood that it is my political opinions and my participation in the Kurdish YPG forces in the fight against Daesh that they are trying to criminalize. It has been more than 14 months that 7 people who do not know each other are accused of being part of a criminal association

It has been more than 14 months of answering questions from an investigating judge using the same tortuous techniques as the DGSI: manipulation, de-contextualization, omission and invention of words and facts in an attempt to influence the answers.

For more than 14 months I have been subjected to the provocations of this same investigating judge who, while I am languishing in the jails of the Republic, allows himself to tell me that this case is a waste of his time in the fight against terrorism. Worse still, he allows himself the most unacceptable insult by referring to the barbarians of the Islamic State as my "friends from Daesh". Although verbal, this remains an unfathomable act of violence. It is inadmissible that this judge grants himself the right to insult me to the highest degree, tries to smear me, and thus spits on the memory of my Kurdish, Arab, Assyrian, Turkmen, Armenian, Turkish and international friends and comrades who have fallen in the struggle against this organization. I am still outraged by this.

It has been more than 14 months of a biased investigation in which, contrary to his role, the investigating judge investigates only for the prosecution and never for the defense. He does not take into consideration anything that goes beyond the pre-established scenario and only serves to validate a fake personality shaped from A to Z by the DGSI, which far from representing me and only reflects the paranoid fantasies of this political police. Thus, I am constantly

presented as a "charismatic leader" even though any non-horizontal mode of functioning is contrary to my egalitarian values.

For more than 14 months I have been held in so-called pre-trial detention without trial, under the most terrible conditions possible: the regime of isolation (see letters of March 2021 and June 2021) considered as "white torture" and inhuman or degrading treatment by several human rights bodies. It has been more than 14 months that I am buried living in a hellish and permanent solitude without having anyone to talk to, just to be able to contemplate the decay of my intellectual capacities and the degradation of my physical state and this, without having access to a psychological follow-up.

After having provided the prison administration with false arguments to ensure that I would be kept in solitary confinement, the examining magistrate requested the rejection of my request for release, as did the national anti-terrorist prosecutor. To do this, they almost copy and pasted the DGSI report of February 7, 2020, the basis of this whole affair, whose veracity has not been demonstrated and from which we do not know where the information comes. We have the right to ask ourselves what was the point of the wiretaps, surveillance, sound recordings and these two years of judicial investigation and instruction, since the facts that demonstrate the false construction of the DGSI have been concealed.

The National Anti-Terrorist Prosecutor's Office (PNAT) and the investigating judge are constantly trying to instill confusion and to create an amalgam with Islamist terrorists, even though they know full well that I fought against the Islamic State, notably during the liberation of Raqqa, where the attacks of November 13 were planned.

The investigating judge claims to be afraid that I would inform imaginary people of my situation, even though it is public, notably because the DGSI or the PNAT themselves have leaked the information from the first day. He thus claims to prevent any pressure on witnesses, victims and their families even though there are no witnesses or victims since there is no act. It is ubiquitous. He also mentioned his fear of a concerted effort between co-defendants and accomplices, even though all the co-defendants have been released, that he has not questioned anyone but me since October 2021, and that I have waited patiently until he has finished questioning me to file this request for release. It could have been comical in other circumstances to note the use of anodyne facts such as: enjoying my right to move freely in France and in Europe, my way of life, my political opinions, my sports practices, my taste for rap music or Kurdish music.

The examining magistrate attacks my mother by designating her as not being a valid guarantee for the simple reason that she did not prevent her son, who was 33 years old at the time, from joining the Kurdish forces of the YPG in the fight against Daesh. Once again, it is my participation in this conflict that is being criminalized. He also criticizes the use of encrypted applications (WhatsApp, Signal, Telegram ...) which millions of people in France are using. Finally, he denigrates all the other options of guarantees (work, accommodation...) without having anything to reproach them even though the staff of the Penitentiary integration and probation services (SPIP) whose job it is, have given a favorable opinion.

How then can we understand that after having ordered these feasibility investigations signifying the possibility of releasing me with an electronic bracelet, the judge of freedoms and detention, in spite of the report, refuses to put it in place? Many of us have noticed that in this whole affair the "justice" violates its own laws and is subject to the political agenda of the DGSJ.

I recently learned from the mouth of the director of detentions of the Yvelines prison (Bois d'Arcy), whom I thank for his frankness, that my placement and my maintenance in solitary confinement were decided from the first day by very high ranking people and that whatever I say or he says or does, nothing will be done about it, that it is beyond him, the file will not even be read and I will remain in the solitary confinement area and that in any case nothing could change before the presidential elections.

- Since they are trying to criminalize the activists who fought with the Kurds against Daesh,
- Since the so-called pre-trial detention is used to punish political opinions,
- Since this story exists only for the purpose of political manipulation,
- Since today I am only left with the prospect of the slow destruction of my being,

I declare myself on hunger strike since Sunday, February 27, 2022 at 6 p.m.. At the moment I only claim my release, while waiting to demonstrate the slanderous side of this shameful accusation.

Libre Flot

February 27, 2022

Relevance in the current context

The whole case is outrageous from many points of view, and the methods used by the French state to repress the defendants reveal the will to make this a political trial, not one based on action. This is not an isolated act: states have been using the juridicial system to repress movements for years. But this builds on a new wave that uses anti-terrorist laws and narratives against revolutionary struggles.

The methods used by the DGSI are nothing new, but reveal to what extent they can be weaponized against us. Libre Flot was surveilled for 2 years in order to build this case. This includes illegally keeping track of his movements, wiring his living space and intruding his private communication. From this, fragments are put together to build a climate justifying the investigation. For instance, an angry call about a bank supposedly show the will to attack the banking system; drunken discussions about militant struggles are supposed to show the intent to act.

With the case of 8 December 2020, a point was reached in the militarization of repression in France. People have been imprisoned for their supposed affiliations to a so-called "ultra-left" ideology or international mobilities that were assimilated to terrorism. Since 2015 the anti-terrorist narratives have been justified to pass more restrictive laws, that eventually are used against broader movements and enemies of the state. This also reverses the burden of proof (it is no longer for the prosecution to prove what you are accused of, but for you to prove that it is false), allows preventive repression (arrested before having committed anything), and creates presumption of guilt (you are punished even before trial), etc. During the pension reforms, these laws had already been used to prevent demonstrations against the governments. We can note that other narratives are also used to pass repressive law, such as the covid lockdowns, the fight against child pornography to limit digital privacy.

On the left, no one has any interest in allowing the right and public opinion to be anchored in the fact that activists in social movements and environmental struggles are terrorists. The political opinions of the accused comrades are criminalised with the very purpose of assimilating to a terrorist threat the very idea of Revolution. The accused in Tarnac already wrote: "The legal definition of terrorism, which is very vague, allows to include in it anyone who eventually constitutes... a revolution. » According to this framework, radical activism fits into the panel of "threats to internal security" that would lead to terrorism if nothing stopped it. This in turn allows for the deployment of military means against simple material sabotage.

This clear trend is not isolated to France: states try to repress and silence revolutionary struggles using whatever justification they can. What happened with the defendants echoes many similar cases. The Network case in Russia is a good example where 7 persons were arrested in 2017 for their supposed organizing in the Network organization, which was then designated as a terrorist organization while no evidence exists. The militants were sentenced from 6 to 20 years of prison. A similar case is happening in Greece since 2020, where four people were arrested during an "anti-terror operation". The fabricated case accuses them of being part of an organization named "comrades". In practice, this means they face charges for 55 actions, that were all signed under the name "comrade" online. In addition, they face very strict pre-trial restrictions that completely block their lives.

We can also note how state propaganda tries to qualify 'antifa' as a terrorist organization. In September 2025, the fascist US government issued an executive order that qualifies "antifa" as a "domestic terrorist organization". Following the US, the Dutch government tried to ban antifa and label it as a terrorist organization through a motion passed by the PVV and the BBB in 2025. This qualification has many very concerning practical effects: bank accounts are frozen, people can't travel, and it also makes it easier to further repress any movement linked to antifascism.

What can we do against this form of state repression? We do not have any clear or definite answers... however, we hope to spread awareness and calls for solidarity across so-called "borders" with this zine. This solidarity can take many forms, from financial help for legal costs, to written letters or actions against institutions. We believe that the only way to end states' repression is to end the state and work towards a self-organized and anti-authoritarian society.

In 2018 Libre Flot comes back from Rojava and is put under surveillance by the french state. They will wire his car, phone, keep a list of who he meets. Two years later, on the 8 december 2020, he is arrested along with 8 other person, they are acused of terrorist organizing with the purpose to attack the police and military. This is a pure political and made up case. The first part of this zine gives a more detailed explanation of the case. The second text was written by Libre Flot while in hunger strike to protest his conditions in prison. Finally, in the last part we share why we think it is important to know about this case in the current context of repression against militant movements.

