

# Whose Water? A Study of the Struggle for Water at Plachimada, Kerala

D. V. MURALEEDHARAN NAIR

## 1.1 *Introduction*

In Kerala environmental issues have been added to the agenda of political agitations since the 1980s. This is mainly because of the widespread scientification in formal and non-formal education. Non governmental organisations like Kerala Sastra Sahitya Parishad (KSSP) have played a very formidable role in this scientification process. Local action groups of resident victims, concerned intellectuals and writers, single issue organisations and the larger network of the KSSP, all have direct and indirect participation in environmental movements. The Gwalior Rayons factory in North Kerala was forced to close down after a fierce struggle with the villagers of the polluted Chaliyar river basin. The same happened to the Punalur paper mill along the Kallada river in South Kerala. During 1977-78, the KSSP prevented the construction of a large hydroelectric project in the Silent Valley as the envisaged water reservoir would destroy the unique biodiversity of the tropical rain forest. Along with the Chipko, actions against tree felling in North-Kerala, the Silent Valley case received wide popularity in India and abroad for its successful prevention of environmental degradation by the local society. 'Plachimada' is the most recent of such environmental movements in Kerala, which attracted international attention. It is described as an agitation by the local people against two multinational giants, Coca-Cola and Pepsi. It is characterised by a very vocal section of the international media as 'the battle of Plachimada', for the people's right to water. 'Green politicians', environmentalists and social activists from around the world, expressed their solidarity with villagers who have been engaged in

a battle for their right to water with the multinationals for over three years.

### 1.2 *The Problem Statement*

Plachimada is a small village situated in the Perumatty Panchayat of Palakkad district in Kerala. The district is often called the 'granary of Kerala'. Located in the centre of Kerala, bordering the neighbouring state of Tamil Nadu, it holds the eastern natural opening in the mountain range, the Palakkad Gap through which the road and rail links between Kerala and Tamil Nadu passes. The district has two types of climate; in the western parts the conditions are like the rest of Kerala but the east is dry and more similar to the climate in Tamil Nadu. Most rainfall, about 75 per cent, is received during the south west monsoon which comes from the beginning of June until September. In the months of December to March the region is almost completely dry. Temperature ranges from 20° C to the maximum of 43° C recorded at Palakkad.<sup>1</sup> The population of Palakkad is 2.6 million and the population density is 584 per square km, lower than all Kerala 819, and the literacy rate is approximately 84 per cent, slightly lower than all Kerala rate of almost 91 per cent. Most of the people are Hindus (76 per cent) and the second largest community are the Muslims.<sup>2</sup> Agriculture is their main occupation, 64 per cent of the geographical area is cultivated. Most of these land is utilised for growing food crops—60 per cent is paddy land. Cash crops grown are coconut, groundnut, cotton, sugarcane, pepper, banana and cashew nut.<sup>3</sup> But the failed monsoons for the past three or four years, however, have caused acute water shortage in the area.

It is a small hamlet situated 5 km from the Tamil Nadu border and 30 km east of Palakkad town. It is highly crowded by socially and economically destitute people. Each family owns less than four cents of land. The only employment is as daily wage agricultural labour. Good paddy fields indicate the land's strength as water reservoir.

The total population of Perumatty Panchayat is 29500; in that male population is 14611 and female population is 14889. There are 1512 Scheduled Tribes and 4949 Scheduled Castes. Here the literacy rate is about 75 per cent.

The river Chitturpuzha runs about 2 km from here and the irrigation canal Moanthodu from the Meenkara dam 3 km to the south also surrounds Plachimada. According to government of India records

and satellite photos, this area is marked as arable land. Most of the villagers are landless 'Adivasis' classified as scheduled tribes, scheduled castes etc. Some 1000 families of the Malasar community and 17 to 19 Eravalur families are facing acute water shortage.<sup>4</sup> Generally they are not farmers, but agricultural wage labourers, 80 per cent of them earn their living as farm labourers and 20 per cent subsist on other labour activities. They get around 100-120 work days per year. Educational and health status of these people are well below the Kerala average.<sup>5</sup>

On 8 October 1999, Hindustan Coca-Cola Beverages Private Limited (HCBPL) applied to Perumattur Panchayat for permission to set up a bottling plant in Plachimada. On 27 January 2000, the Panchayat granted licence to Coca-Cola, for setting up and running the factory.<sup>6</sup>

The Coca-Cola plant covers a 40 acre plot. The plant location is 30 km east of Palakkad and west of Meenakshipuram in Tamil Nadu border. The entire factory compound was previously irrigated multi cropped paddy land belonging to one or two large landowners. The local people state clearly that the plant location was a good wetland, which had used to cultivate multi cropped plants. This paddy field used to produce rice, vegetables, peanuts etc. This part of the Palakkad district is exclusively agricultural land and it depends heavily on canal irrigation or groundwater. The Coca-Cola company has its own capital electricity generating set and does not draw from the common structure. It is reported that the plant could not access a plot registration because the land was converted from paddy fields. Permission must be granted before any conversion of agricultural land to non-agricultural use is made. Coca-Cola has not shown any signs of having obtained such a permit.<sup>7</sup>

Palakkad is one of the backward districts of India. Main reason for its backwardness is shortage of water. What really puzzled everybody was why Coke (Pepsi too) chose such a dry region, a well known rain shadow area as the location for a water based soft drink factory. It is reported that the American satellite discovered the rich ground water source of this area. The Cola companies started operation in this area just to exploit this resource. The explanation given by the Kerala Sastra Sahitya Parishad was that Coca-Cola wanted to use *water from the irrigation dams* nearby.<sup>8</sup> Fortunately, as the KSSP version labels it, the authorities did not give in on the matter and granted a permit for the usage of this water intended for agricultural purposes. The KSSP also believe that the location was

picked up for infrastructure reasons, through the Palakkad gap it is easy to reach markets in the rest of India. According to KSSP, Coke transports water in tanker lorries from six different locations along the Periyar river to their location in Palchimada. The reason for this, they understood, was to be that the ground water was not just enough for the company's needs when producing at full capacity.

### 1.3 *The Issues*

The introduction of one annual report of Coca-Cola is given below: 'Each morning everyone of us in the Coca-Cola family rise with the realisation that the 560 crores of people in the world will feel thirsty. We ensure our success for many years by tying up these 560 crores people with Coca-Cola forever. Nothing else can replace this.'<sup>9</sup>

The Coca-Cola plant in Palchimada is a fine example for insatiable capitalist greed.<sup>10</sup> It employed 70 permanent workers and approximately 150-250 casual labourers. About 85 lorry loads of products are sent out daily. Each is loaded with 560-600 cases. Each case contains 24 bottles. The earning of the company should be above Rs. 11,016,000 as per the market price of the products. But the total expenditure including cost of production, labour charge and transportation does not exceed Rs. 25000 per day.

Most of the products require lakhs of litres of clean water, statistics point out approximately 15 lakh litres per day is required. The raw materials for the production include water, soft drink concentrate, cabondioxide, sugar, mango pulp, preservatives, water treatment chemicals, etc. The products include Coca-Cola, Limca, Fanta, Thumps-up, Sprite, Kinley soda and Maaza.

All the water requirements of the plant are met from a number of deep borewells sunk within the factory territory. It is reported that more than six borewells were sunk. There are also two large open wells. They then pay, what is called a water cess at prescribed rates; science and environmental magazine *Down to Earth* have compared the rates paid in Kerala to those in Delhi and found that the capital's residents pay more than ten times for their water. The conclusion they draw from it is that Kerala must be a favourable location for a soft drink company to establish.<sup>12</sup>

One of the front page stories of *Down to Earth* in August 2002 was titled 'Now Cola water war' and reported on the Plachimada versus Coca-Cola conflict. As stated by the magazine, no environmental impact assessment was made before establishing the

unit. There are hardly any laws governing ground water extraction in India and no mechanisms to regulate the amount of water being used.

During the month of July, a prominent British journalist and anchor of BBC Radio 4's 'Face the Facts' programme, John Waite visited this plant of HCBPL on coming to know that the sludge from this plant was being used as manure in the nearby farming fields. He collected samples of this waste water from nearby wells and analysed it at the laboratory operated by the University of Exeter in London. The results were announced through a press release. It was alleged that the company was distributing highly toxic sludge containing cadmium and lead to the farmers as manure. The analysis of samples in this laboratory detected the presence of significantly higher than normal levels of certain heavy metals such as lead, cadmium and chromium.<sup>13</sup>

#### 1.4 *The Impacts*

Just about six months after the Coca-Cola factory in Plachimada was set up in early 2000, villagers and farmers living nearby the bottling unit started to notice changes in both the quantity and quality of the well water. The water turned brackish and milky white and no longer fit for drinking, cooking and bathing. 'Before HCBL started bottling operations, the wells in the colony used to meet the needs of the neighbouring colony too. Now all nine wells in the colony have become unusable,' according to the people living in this area.<sup>14</sup>

'Apart from the beverage, whether any other food product is processed within the plant was unknown. Purification of ground water, preparation of the bottled drink, cleaning of used bottles and other activities generate a large quantum of polluted water and chemical wastes. The SC/ST colonies such as Plachimada, Vijaynagaram, Vellur and Madhavan Nair colonies in the Permatty Panchayat and the Rajeev Nagar and the Thodichipathi colonies in the Pattanchery Panchayat are the worst affected. At least 750 families suffer the foul smell. They drink contaminated water and face acute water scarcity.<sup>14</sup>

##### 1.4.1 *Ground Water Depletion and Vitiation*

The continuous heavy withdrawal of ground water in plant site has already adversely affected the water table. Water availability in the open wells and shallow bore wells over an extensive area has

drastically fallen. People report that they could earlier pump water for irrigation, continuously for 24 hours. But after the Cola plant has started pumping, within 4 hours of pumping their wells go dry.<sup>16</sup> Salinity and hardness of the ground water have also increased. Water from most of the wells is unpotable. Possibly due to excess ground water withdrawal, minerals from the deeper soil layers could be moving to the upper layers and contaminating the water. The precise chemicals from the plant waste water are vitiating the ground water. Routine agriculture is already adversely affecting hundred acres of adjacent paddy lands due to the water scarcity. People who are forced to depend upon the brackish water complain of a variety of illness. Women who use this water reported that rice and *dal* do not get cooked but become hard. Food prepared with such water, they reported, as going bad quickly. Burning sensation on the facial skin and a greasy sticky feel on the hair are also mentioned by all the people who bathe in the water.<sup>17</sup>

#### 1.4.2 Waste Disposal

Partially processed waste water from the plant is continually sprayed on the lawn and garden being raised within the factory compound. This is filtering down and reaching the water table. Water from some of the domestic wells on boiling and subsequent cooling develops an intense milky colour. Left to stand for a few hours, a considerable amount of whitish material emerges. People who regularly use such waters complain of stomach disorders.<sup>18</sup>

There seems to be aerating and sedimentation machinery for partial treatment of the waste waters within the factory compound. After such a partial treatment, a large quantum of semi-liquid and dry waste is generated. The solid waste is composed partially of dried sediment slurry, which is a yellowish white granulated substance with a faint sulphuric acid smell. There is also a foul smelling hard dark gritty stuff mixed with fibres, pieces of fabric, synthetic insulating material, etc. Local people report that part of this material was dumped in land fill sites within the compound. Large quantities of it were being trucked and disposed off in the farmlands all around. The farmers are misled to believe that it is all useful fertilizer. In the irrigated coconut groves, the waste material have got spread around through the irrigation canals over a large area and was seeping into the soil, contaminating soil, water and air. The farm labourers, who have been exposed to this material, have developed rashes and skin

disorders particularly around the ankles within a short time. This also suggests the toxic nature of the solid waste.

#### 1.4.3 Air Pollution

Another most distressing fallout from the Coca-Cola plant was the foul odour emanating from it, periodically, usually at night. It was causing violent reactions in pregnant women, the old people and the children. People described it as very like the smell from a putrid dead body.<sup>19</sup>

#### 1.5 The Agitation

The Coca-Cola story in Plachimada is reminiscent of David versus the mighty Goliath. The struggle against the Plachimada plant of Coca-Cola was launched on 22 April 2002, with a symbolic blockade and picketing by mainly the adivasis, particularly by women and children of the Malasar communities classified by the government as primitive tribes. More than 2000 demonstrators gathered at the factory gate forming a blockade, and at least 50 villagers have maintained a picket-outside the plant everyday. People's Union of Civil Liberties (PUCL) and the Ayyan Kalipada, a pro naxalite group were strong supporters of the agitation. In January 2003, the National Alliance of people's movements began a countrywide march from Plachimada. Realising that the struggle was gaining considerable support from the people, two political parties—Janata Dal and CPM—changed their stand and began to demand the closure of the plant. Along with the agitation, a series of police action against the demonstrators and picketers have taken place, Adivasi women were arrested and jailed.<sup>20</sup>

Following the 2004 meeting of the World Social Forum (WSF) in Mumbai, the small village of Plachimada witnessed a rare union of radical unionists, Green Politicians, environmentalists and social activists from around the world, expressing solidarity with villagers who have been hopelessly engaged in a battle for their right to water with the multinationals. Immediately it has got international media attention. The struggle of Plachimada became a part of the worldwide struggle against transnational companies that exploit natural resources like water. The International Water Conference at Plachimada issued a declaration, known as the Plachimada declaration which asserted that 'water is not a private property, not a commodity' but a common resource, a fundamental right of man, 'We should resist all criminal

attempts to marketise, privatise and corporatise water'. The people's struggle was fully supported by the NGOs<sup>21</sup> like Sastra Sahithya Parishad and almost all the political parties except the ruling Indian National Congress, Muslim League and Kerala Congress. It also exposed the weakness of the state, which was a mute spectator of the agitation.

At the peak of the agitation, the Coca-Cola Company approached the Perumatty Panchayat for the renewal of the license. The Panchayat declined to renew the license and cancelled the permission granted to the company on the ground of water shortage and pollution. The company, immediately approached the court.

A Division Bench of the Kerala High court on 7 April 2005, held that the Coca-Cola company will be entitled to draw 5 lakh litres of groundwater a day from its plant at Plachimada. The Bench made it clear that the restrictions imposed for the company's consumption would not be applicable when water is drawn for additional requirements such as supply of water to people in the area. The Court directed that the company should involve in community development projects. The Court held that the Perumatty Grama Panchayat was not justified in rejecting the company's application for renewal of licence, it had no legal authority to cancel the licence from functioning its unit.<sup>22</sup> Immediately after this verdict the Perumatty Panchayat decided to file an appeal before the Supreme Court for a final settlement. So the case is now before the Supreme Court but it was reported in the press that the Coca-Cola company was thinking in terms of closing the factory. But nothing of such a closure has taken place till the end of October 2005. The High Court verdict has created confusion but the leaders of the agitation declared their resolve to fight it out with all their might.<sup>23</sup> The leader of the opposition in the Assembly V.S. Achuthanandan expressed the popular anguish in the following words. 'It is unfortunate for Court, which are duty bound to interpret laws in ways that are beneficial to society at large and the people in particular to forget the same and interpret laws in favour of monopolies and commercial interests. What ordinary people, Adivasis, environmental activists and youth organisations at Plachimada should do is to go beyond such verdicts and intensify their ongoing agitations.'<sup>24</sup>

It is only on the basis of the Court verdict and with the support of the government that the company now exists. It simply exists on the logic of globalism. Adam Smith once asked, 'How is it that water which is so useful that life is impossible without it, has such a low



price—while diamonds, which are quite unnecessary, have such a high price?’ Adam Smith’s question has been acknowledged. In other words, from the 1992 Dublin conference on the environment to the 2000 Hague World Water Forum, commoditisation and, privatisation of the world’s water has been presented as the only solution to universal access to environmental sustainability. If unnecessary diamonds can fetch a price, why not life saving water?<sup>25</sup>

This laissez-faire logic now rules the state. So now it has developed into a clash between the state and local community.

The Perumatty Panchayat is fighting for its right to self governance. When markets fail and private competition lead to negative effects on poor people, a government could and should intervene to protect those affected. The market in this case is more of a non-market since Coca-Cola pays practically nothing for the water, thus market forces does not function as a regulatory measure controlling the water use. Perumatty Panchayat has taken the role of protecting the people of Plachimada when they refuse to renew Coca-Cola’s licence until measures are taken to ensure the protection of both environment and the people. Kerala is renowned for its decentralised planning programme and panchayati raj system but in this case the courts and the state government have not fully recognised the Panchayat’s right to self governance.

The factory offers employment, but more jobs are lost in the agricultural sector in the region. It also exposes the crisis of agriculture in this region.

Development in a poor country or region often involves industrialisation as a means to promote economic growth. The urban Kerala, at least to some extent, and the political leadership seem to agree with this point of view. However, introducing industry in a province completely dominated by small-scale farming must have a far better chance of succeeding if it is carried out with consideration taken to social and environmental justice. To avoid conflicts, the kind of production likely to be accepted is one sensitive to local perceptions of sustainability and equality.

Plachimada speaks the message of the poor lauder: ‘If development means destroying the environment we don’t want it.’ The Dalits and Adivasis in Palakkad can never afford to buy Coke; these soft drinks are undoubtedly manufactured for consumption in more prosperous urban areas of India. Not only are the economic relation uneven, when the making of the product include the degradation of natural resources like water, it must also be viewed

as a remarkable example of an ecologically unequal exchange.

Tribal communities like those in Plachimada are still in close contact with nature in a way that urban people often have lost. To co-operate on common resources comes more natural to these villagers than individual competition. Water is not a commodity to be bought and sold but a birthright for everybody. Small-scale use of water for household and irrigation purposes by people living with close ties with the land allows the users be more sensitive to ecological limits than a society built on principles of individual contest where large-scale operations have an advantage. The gap between a small rural community like Plachimada and a giant global corporation is huge. Nature for subsistence stands against nature for profit. Water is not a commodity that can be substituted and the people in Plachimada cannot afford to buy it from outside.

The responsibility of a local government is to protect the public good, to see the well-being of its society and ward off excessive exploitation. To support the management of local natural resources in a sustainable way must be the crucial part of good governance. The Panchayat in this case holds the Coca-Cola factory responsible for depleting ground water in the area under its jurisdiction, a circumstance that has affected local agriculture and people.

It is a classic case of contradiction in a globalised context, between the state, market and civil society. There is a clear understanding between the state and corporate world for industrialisation disregarding the basic environment and culture and for market and profit. It becomes so negative and harmful to the local communities. State and global corporation stands opposed to local people and community.

The story of Perumatty Panchayat's struggle to save its natural resources and livelihood has brought to the fore one vital aspect: when the Panchayat and civil society organisation come together on issues of public interest, globalisation makes way for localisation.

Plachimada raises a number of very vital issues in the context of globalisation. The entry of non-national actors brings local struggles under an international spotlight, permitting foreign powers to intervene in what were seen as exclusively national issues. With the WTO regime now intervening in issues like drinking water and helping convert free resources into commodities, the poor people seem to have entered into a new, possibly frightening world....

### 1.6 Why are these Lesser Known Movements Important?

For every well-known people's movement for the environment (such as the Silent Valley, Narmada, Fishermen's movement), there are dozens of smaller movements in India like Plachimada, where communities are struggling against destructive development and for the right to control resources and decisions that affect their lives. *Why are these lesser-known movements important?* Because they provide a crucial window into the range of aspirations that communities and groups at the base of our society feel and act on. They are powerful microcosm of both the problems and the resolutions. They are neither globalists nor anti-globalists. They are the poor, always at the receiving end but always ignored. They do not know the meaning of environment and development, they are just poor. They are always under exploitation, not simply by the MNCs, but by all political masters. So it is the duty of the civil society to protect the interest of these poor people. We should, therefore, insist that markets be designed to serve the needs of people and not the other way round.

'Environmentalism of the poor' is a convenient umbrella term used by some scholars like Joan Martínez Alier, Ramachandra Guha etc. to explain the social concerns and for forms of social actions based on a view of the environment as a source of livelihood.<sup>26</sup> Actors of such conflicts are reluctant to call themselves environmentalists. This view was first proposed in the 1980s to explain conflicts in which poor people defend the environment (in rural situations) against the state and the market. Well-known instances are the Ogoni, the Ijaw and other groups in the Niger Delta protesting against the damage from oil extraction by shells: the complaints about the planting of eucalyptus in Thailand and elsewhere, because plantations are not forests; the movements of oustees from dams; or some new present movements in the 1990s against seed multinationals and biopiracy. The words 'ecology' and 'environment' were not used politically. Their concern is with livelihood. The emancipation of the poor is often expressed in the language of legally established old community property rights. At other times, new communal rights are claimed. Thus local fishermen in the middle Amazon river invent new communal rights against outside industrial fishing boats, in a context similar to that in Kerala, between artisanal fishermen (who assert community rights and claim that sea is sacred) and industrial trawlers. As stated by Professor

Ramachandra Guha in his study on Chipko (*Chipko: Social History of an Environmental Movement*, 2002) Plachimada can also be read as a response to the fragmentation of the village community in recent decades. Adivasi women have played a very important role in Plachimada (the leader of the movement is Mylamma, a 65-year-old Adivasi woman)—marking an important departure from the pre-independence period to this new era of social movements. At the same time, the participation of women in large number in Plachimada (as in Chipko) has been influenced by the impact of recent economic changes in intensifying their traditional dependence on the natural environment. It also represents an expansion in the scale of popular mobilisation and the development of popular consciousness. According to a recent study by market sources, the Cola sale in Kerala (a dominant player in the tourism map of India) has dropped anything like 50 to 60 per cent in recent months. Plachimada versus the Cola war has also created a very important impact on the political and intellectual life of the state. For the first time in the history of environmental movements in Kerala, the Communist parties have openly supported the environmentalists. It is very interesting to analyse this point. Coca-Cola and Pepsi were invited to Palaghat, one of the red bastions of the state by none other than the Communists. It was during their tenure in early 2000 that the Perumatty Panchayat gave license to Cola companies, one in Plachimada and another in the Kanchikode industrial estate. In the beginning of the agitation, Communist parties were under cloud, whether to support or not? But when they found that the Naxalites were spearheading the agitation and the fire brand Adivasi leader C.K. Janu was at the helm of the agitating group and also because of the change in the public mood, the Communists immediately changed their attitude and supported the movement. (Remember, when the Silent Valley agitation was in full swing, Chief Minister of the state was the CPI leader P.K. Vasudevan Nair; he described the movement as anti development and dubbed it as 'environmental luxury' for some intellectuals. The CPM dominated CITU was totally against Silent Valley). Another very notable feature of the movement in the intellectual life of the state is the rift that it has created in the media. While *Malayala Manorama*, which is the largest circulated vernacular media in India supported Coca-Cola, for reasons of development, the national newspaper of Kerala, *Mathrubhumi*, which was established during the freedom movement as the mouth piece of the Indian National Congress, supported wholeheartedly the movement and through

editorials and statements advised the people to boycott Coca-Cola. These are the trends and confusions which has been associated with Plachimada. Gandhians have been quick to hail Plachimada as a modern example of Satyagraha, calling it direct action in the best Gandhian spirit. At the level of popular participation the Gandhian label is even less appropriate. Villagers see Plachimada as a fight for basic subsistence, denied to them by the institution and policies of the state. As in Chipko, knowingly or unknowingly, it has exposed the ambiguities in the dominant ideology of Indian State. While its development policies are a strong repudiation to Gandhian economics, by paying daily obeisance to the Mahatma in its official rituals the state tries to symbolically appropriate the narrow prestige associated with his name.

While Chipko-style movements (for example the Appiko movement in Karnataka) have emerged in other parts of India, one must not make a mistake of seeing these movements as mere derivatives of Chipko. Appiko, Plachimada etc., therefore, must be studied, in its local historical and cultural contexts.

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Coca-Cola abandoned its business in India in 1977, when the Foreign

Exchange Regulation Act of 1973 made it mandatory for non-Indian Corporations to limit their share holdings to 40% i.e. they had to establish a partnership with a domestic Company. During the 1990s the India Government liberalised and deregulated the financial terms and business rules, and then the Coca-Cola entered again. Now Coca-Cola has 52 factories in India and 38 Pepsi bottling plants.

Each unit extracts upto 1.5 milli litre of water a day from the ground. It takes nine litres of clean water to manufacture a litre of Coca-Cola."

#### *Cola as pesticide*

Farmers in India are delighted that they have finally found a use for Coca-Cola as pesticide. News from farmers in Andhra and Chattisgarh has confirmed that hundreds of farmers are spraying Cola directly on their crops with amazing success. It is more cost effective than the branded pesticides.

In September 2003, tests conducted on random samples consistently found high levels of pesticides, including DDT, lindane and malathion in the Cola Products, this is as high as 30 times more than those allowed by US and European Union Standards.

It is interesting to note also that—Coca-Cola is one of the sponsors of the World Summit on Sustainable Development—Global People's Forum.

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