

Resumen Inglés

Thesis title: *“Alternative Procedures Application of the Solution of Disputes en in Social-Environmental Disputes in the Petroleum Activity in Ecuador”*

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The social-environmental disputes in Ecuador have suffered a remarkable scaling in the last years, within the scope of this type of disputes, the greatest impact on the national context are those produced by the petroleum activity reflected on environmental , economical, social, political problems; the lack of agreements among different national interests , few and weak agreements between the parts commonly in dispute: (Government-Native Communities-Oil Companies), remarkable unequal conflict of powers, complex joint ventures and contexts makes this a very controversial one.

This problematic situation proves the necessity of creating intervention proceedings in those disputes that meet whit the expectations of the bound parties who are involved in the oil business, since as today the proceedings commonly used are the judicial proceedings; even though there are alternatives and experiences in serching for the solutions of such disputes.

Three relevant social-environmental cases in the oil activity have been taken for this work, there are: TEXACO, FIPSE-ARCO, and SARAYAKU-CGC affairs, which by virtue of their analysis, one may visualize how these disputes develop and which would be the alternative way of handling them.

In attempting solve disputes a series of methods appear and are known as Alternative Procedures of the Solution of Dispute among which are Arbitration, Aiding, Transaction, Settlement, Conciliation, etc., which have been placed within this analysis for searching solving alternatives to the disputes produced in the oil business.

With this background entail the theory and the practice in the context of the social-environmental disputes of the oil activity, its handling, characteristics, parties, forms of solving them, contribute with resources and proposal that be essential in this type of problems.