

## MACARENA SÁEZ

4801 Massachusetts Avenue, NW, Suite 356, Washington, DC 20016. Tel: (202) 274-4388  
Email: msaez@wcl.american.edu

---

### Education

**Georgetown University Law Center**, *Visiting Researcher* 1998 – 1999

Research focused on feminist legal theory, and law and revolution.

**Yale Law School**, *LL.M.*, 1998

Courses: Rule of Law, Political Theory, Justice, Constitutional Law, Sexual Orientation and the Law, Social Welfare Policy; Research Methods in International Law, Comparative Law.

**University of Chile Law School**, *Licenciada en Ciencias Jurídicas y Sociales* (J.D. equivalent), 1995. Thesis on Constitutional Protection of Intellectual Property.

### Academic Appointments

**American University Washington College of Law**, Washington, DC (2004-present)

*Fellow in International Legal Studies*. April 2010 – present. Teaching Family Law, Comparative Law: the Continental System in Latin America and Spain, Comparative Family Law, and Comparative Legal Perspectives on Social Problems.

*Adjunct Professor*. Fall 2007 to Spring 2010: Introduction to the Continental Legal System (in Spanish); Comparative Legal Perspectives on Social Problems; Advanced Issues in International Law; Legal Aspects of Trade and Investment in Latin America. Ongoing supervision of papers to fulfill WCL's Upper Level Writing Requirement of two to three students per semester.

*Lecturer*. Spring 2005, 2006 and Fall 2009: One session on Constitutionalism in Latin America for Professor Hermann Schwartz Comparative Constitutional Law class.

**University of Puerto Rico School of Law**, San Juan, Puerto Rico (November 2009, and July 1998)

*Visiting Professor*. Courses: *Feminism and the Law: Theory and Practice* (2009); *Problems of the Theory of Law: Feminist Analysis* (1998).

**Inter-American University School of Law- ALAS Network**, San Juan, Puerto Rico (March 2009)

*Lecturer*. Seminar on Feminist Perspectives on Legal Education. .

**Facultad de Derecho, Universidad de Chile- ALAS Network**, Santiago, Chile (July 2007)

*Lecturer*. Seminar on Feminist Perspectives on Legal Education. The seminar was organized by the Network of Latin American Scholars (ALAS) with funds from the Ford Foundation.

**Inter-American Institute of Human Rights**, San José, Costa Rica (November 2005 and 2006)

*Lecturer*. Workshop on women's rights in the Universal and Inter-American system of Human Rights for a specialized course on women's rights organized by the Inter-American Institute of Human Rights and the Raoul Wallenberg Foundation.

**University of Chile Law School**, Santiago, Chile (1998 - 2002)

*Faculty member.* Subjects: Jurisprudence, Feminist Legal Theory, and Moral Philosophy.

**University of Chile School of Social Sciences**, Santiago, Chile (2002)

*Lecturer.* Seminar on feminist legal theory for Master program on Studies of Gender and Culture.

**Universidad Andrés Bello School of Law**, Santiago, Chile (1995 - 1997)

*Adjunct Professor.* Subject: Jurisprudence.

### **Professional Experience**

**American University, Washington College of Law**, Washington, DC (2003- present)

*Director of Summer Law Program in Chile. (2003 – present).* Lead between 20 and 45 law students from different law schools in the U.S. to Chile during the month of June; organize academic activities, act as liaison between WCL and the American Bar Association.

*International Programs Coordinator and Director of JD Dual Degree programs.* (September 2003 – April 2010). Served as the liaison between all WCL programs with international components; negotiated, prepared, and routed Memoranda of Agreements between WCL and other academic institutions around the world; organized international faculty visits and colloquia; reported study abroad programs to the American Bar Association; Advised students on study abroad programs; implemented and directed all international JD dual degree programs at WCL in France, Spain, Canada, and Australia.

*Coordinator of Graduate Certificate in International Contract and Business Law.* (2003 – present). Program based in Santiago, Chile for Latin American lawyers. Select courses, professors, and students; manage budget, marketing and all other aspects of the program.

**Network of Latin American Scholars on Gender and the Law (RED ALAS)** (2004-present)

*Coordinator.* September 2007-September 2009. Reelected in December 2009 for a second two-year period. Write grant proposals; administer budget; organize website; select works for publication; organize and teach workshops on gender and legal education around Latin America. This position is grant based, supported by the Ford Foundation.

**Inter-American Development Bank (IADB)**, Santiago, Chile (June- December 2002)

*Legal Advisor.* Researched and drafted a legal brief on the viability and sustainability of an IADB project on Agro-tourism under Chilean legal framework.

**University of Chile Law School**, Santiago, Chile (March 2001 – December 2002)

*Coordinator - Commission for the Reform of the Curricula.* Managed the collection and analysis of all relevant information concerning changes in the curriculum of the law school. Drafted statutes and a final report on new academic programs for the *Licenciatura en Derecho*. The reform was implemented in 2003.

**Yale Law School**, Santiago, Chile (June 2002)

*Coordinator, Linkage Project.* Coordinated and supervised the one-month visit of Yale Law School students to the Universities of Chile School of Law and Diego Portales Law School. Organized the first Seminar on Constitutional and Legal Theory (SELA) in Santiago with professors from Yale Law School and the Universities of Chile; Diego Portales; Palermo; and Buenos Aires Schools of Law.

**Inter-American Development Bank (IADB)**, Legal Department, Washington, D.C., (March – December 2000)

*Consultant.* Prepared and drafted loan contracts and technical cooperation agreements with South American countries. Issued various legal reports in areas such as money laundering in South America and law schools reform in Paraguay.

**Inter-American Development Bank (IADB)**, Washington, D.C., (October – December 1998)

*Consultant.* Researched and drafted a legal brief on the viability and sustainability of an IADB project on education under Nicaraguan laws and regulations.

**University of Chile Law School**, Graduate School, Santiago, Chile (March 1995 – August 1997)

*Academic Director.* Managed the selection of students for the LL.M. program. Coordinated *curricula* development for the LL.M. program. Produced, edited and updated informational materials for prospective students. Organized academic seminars and workshops for graduate students.

**Ministry of Finance of the Republic of Chile**, Santiago, Chile (January 1995 – December 1996)

*Member of the Negotiation Team for the Canada-Chile Free Trade Agreement.* Negotiated Chapters H (Cross-Border Trade in Services), I (Telecommunications) and K (Temporary Entry for Business Persons).

*Researcher and Negotiation Team Member.* Member of a research team hired to analyze chapters XII (Services), XIII (Telecommunications) and XVI (Temporary Entry of Business personnel) of NAFTA, under Chilean law. Took part on preliminary negotiations between Chile, Mexico, Canada and the U.S. to include Chile in the North-American Free Trade Agreement.

**Corporación de Promoción de la Democracia**, Santiago, Chile (January – December 1992)

*Researcher.* Provided legal advice to members of the Chilean Congress.

**Legal Aid Office of Senator Andrés Zaldívar** (March 1990 – December 1991)

*Legal Intern.* Provided free legal assistance to low-income residents of the Santiago metropolitan area.

### **Pro Bono Work**

**Association of Lawyers for Public Liberties (Libertades Públicas A.G.).**

*Vice President,* March 2007-June 2010. Represent victims of violations of public liberties and civil rights in Chile and before the Inter-American System of Human Rights.

Currently representing before the Inter American System of Human Rights a Chilean judge who lost custody of her three children for living with her same-sex partner.

**International Legal Advisory Committee on Emergency Contraception.**

October 2009-Member of the Advisory Committee.

**Selected Publications (from 2000 to present only)**

Books:

M. Saez, ed., *Same-Sex Couples: Comparative Insights on Marriage and Cohabitation*, Springer, Dordrecht, forthcoming March 2012.

M. Saez and C. Motta, eds., *La Mirada de los Jueces: Género y Sexualidades Diversas en la Jurisprudencia Latinoamericana* (The judges' perspectives: Gender and Sexuality in Latin American Case Law), Siglo del Hombre Press, Bogota, May 2008.

Book Chapters:

“General Report on Same-Sex Marriage around the World,” in D. Snyder and K. Brown, *General Reports of the XVIIIth Congress of the International Academy of Comparative Law*, Springer Publishers, forthcoming, 2012.

“Training Lawyers for Transnational Practice: Building Dual Degree Programs in Law,” co-authored with Jamie Welling, in Daniel Obst and Matthias Kuder eds., *Joint and Double Degree Programs: An Emerging Model for Transatlantic Exchange*, Institute of International Education, New York, 2009.

“Breve análisis de las tendencias feministas contemporáneas y su relación con el derecho,” (“A Brief Analysis of Contemporary Feminist Theories and its Relationship with the Law”) in Joaquin González Ibáñez ed., *Derechos Humanos, Relaciones Internacionales y Globalización: Studia in honorem Nelson Mandela*, Grupo Editorial Ibañez, Madrid, Spain. March 2007, Second edition in September 2009.

“A Love-Hate Relationship: Law and Disadvantaged Groups,” in *El Derecho como Objeto e Instrumento de Cambio*, Editores del Puerto, Buenos Aires, Argentina. (May 2003).

Papers in Academic Journals:

*Simposio: Matrimonio entre Parejas de un Mismo Sexo*, Anuario de Derechos Humanos 2011, University of Chile Law School's Center for Human Rights. (Symposium: same sex marriage, Human Rights Yearbook 2011).

*Same sex- marriage, same-sex cohabitation, and same-sex families around the world: Why “same” is so different?*, 19 Am. U. J. Gender Soc. Policy & L. Spring 2011.

*Comentario sobre el proyecto 'Transformación de la Condición Legal de la Mujer: Integrando temas de género en la doctrina y enseñanza del derecho'* (Commentary on the project "Transformation of the Legal Status of Women: Integrating Gender into Jurisprudence and Legal Education), *Journal Academia*, Universidad de Buenos Aires, Buenos Aires, Argentina (October 2006).

Book Review: *El Liberalismo Feminista de Martha Nussbaum* (Martha Nussbaum's liberal feminism), *Journal Ius et Praxis* 6, N 1, 573-581, Talca, Chile. (2001).

### **Scholarships and Awards**

"Presidente de la República" Scholarship. 1997. Awarded by the Chilean Government for the pursuance of postgraduate studies at Yale University Law School.

Selected by the University of Chile Law School to visit Yale Law School as a Junior Faculty member, within a linkage program between both law schools. (January 1995).

### **Participation in Conferences and Workshops (past four years only)**

**University of Chile Law School**, Santiago, Chile (June 24, 2011)

Lecturer on Activism and Academia in Women's Rights. Certificate Program on Women's Human Rights: Influential Legal Strategies.

**University Sergio Arboleda**, Bogota, Colombia (April 29 and 30, 2011)

Visiting faculty. Concentrated class (16 hours) on Feminist Jurisprudence and Human Rights.

**Autonomous University of Mexico UNAM**, March 8-9, 2011

Panelist on Gender Perspectives on International Law at the "Workshop for Law Professors on International Law and Gender," organized by UNAM University.

**University of Miami Law School**, Miami, February 24-25, 2011

Panelist on the Closing Plenary at the Conference "Gender Justice in the Americas: A Transnational Dialogue on Sexuality, Violence, Reproduction and Human Rights."

**University of Havana Law School**, Havana, Cuba, January 31-February 1, 2011

Panelist on "The influence of feminist theories in international law" at the International Conference on Gender, Sexuality and the Law organized by the University of Havana Law School, National Center of Sexual Education CENESEX, and ALAS Network.

**Supreme Court of Mexico**, Mexico City, November 22-23, 2010

Lecturer in a two day workshop for law clerks and federal judges on Developments of Gender Issues in Comparative and International Case Law.

**Inter-American Dialogue**, Washington D.C. October 20, 2010

Panelist on "Roundtable exchange on lesbian, gay, bisexual and transgender rights (LGBT) in Latin America and the Caribbean."

**XVIIIth International Congress of the International Academy of Comparative Law,** Washington D.C., July 2010.

General Reporter for the topic Les mariages homosexuels / Same-sex marriages.

**Supreme Court of Mexico,** Mexico City and Saltillo, Mexico, April, 2010

Conducted training for law clerks of the Supreme Court of Mexico on gender perspectives in legal adjudication.

Presentation on future challenges for the incorporation gender perspectives in legal adjudication in a Seminar on gender and adjudication for more than 300 Mexican state and federal judges.

**Ritsumeikan University,** Kyoto, Japan, March, 2010

Presentation on faculty workshop on “The Legal Meaning of Marriage: Comparative perspectives on the regulation of same sex unions.”

**Ghent University,** Ghent, Belgium, October 2009.

Participated in International Workshop on Judicial Decisions and Statutory Interpretation with a presentation on “Application of International Human Rights Law in Domestic Courts in Latin America.”

**Lat Crit Conference 2009,** Washington D.C., September, 2009

Participated in panel on Gender, Cultural Differences, and Left Governance.

**University of Chile School of Law and the Network of Latin American Scholars ALAS,** Santiago, Chile, Julio 2009

Primer Encuentro sobre Género, Sexualidad y Derecho. Opening remarks as coordinator of the ALAS network. Participated in panel on Incorporating Gender Perspectives into Legal Education.

**American University Washington College of Law and Appleseed,** Washington D.C., April 2009

Symposium on “Creating a Pro Bono and Philanthropic Culture in Mexico.” Participated in panel on Historical and Cross-Cultural Perspectives on Creating a Pro Bono Culture in the Americas.

**Supreme Court of Mexico,** Mexico D.F., Mexico, March, 2009.

Presentation of the book *La Mirada de los Jueces*. Special remarks on the value of precedents in the continental legal system.

**University of Puerto Rico School of Law,** San Juan, Puerto Rico, February 2009.

Presentation on faculty workshop on “Shifting paradigms in Family Law: the case of same sex partners.”

**American University Washington College of Law,** Washington D.C., January 2009

Conference on Valuing All Families Under Law. Participated in panel on Comparative Law.

**American Association of Law Schools Annual Meeting,** San Diego, USA, January 2009.

Moderator on a panel on Cooperative Efforts to Maximize Study Abroad Opportunities: Can US Law Schools Work Together?"

**Electoral Council of Colombia**, Bogota, Colombia, November 2008.

Conference on Constitution and Electoral Legitimacy. Presented paper on constitutionalism, electoral legitimacy and gender in Latin America.

**University Sergio Arboleda**, Bogota, Colombia, November 2008

Conference on International Litigation and Human Rights in Colombia. Presentation on Discrimination on the Basis of Sexual Orientation before the Inter American System of Human Rights: The case of Karen Atala.

**University Carlos III**, Madrid, Spain, March 2008.

Presented preliminary work on "Using a Comparative Lens to Evaluate Early Legislative Approaches to Worker Dignitary Rights: What Can We Learn from the Chilean and U.S. Experiments of the Early Twentieth Century?" at a Conference on Immigration and Law organized by the University Carlos III Law School in Madrid.

**University of the Pacific**, Lima, Peru, December 2007.

Presentation on the role of the International Center for the Settlement of Investment Disputes (ICSID) at a conference on dispute settlements organized by the University of the Pacific for Peruvian business people.

**Monash University**, Melbourne, Australia, August 2007.

Presented preliminary work on Marriage Law in Chile at a Faculty Workshop.

**American University Washington College of Law and Harvard Law School**, Washington D.C., May 2007

Conference on Comparative Family Law. Presented paper on The Role of Marriage in Latin America.

**American University Washington College of Law**, Washington D.C., March 2007

Presentation for the conference "Reparations in the Inter-American System of Human Rights: A Comparative Approach" on the role of the Inter American system in "non-traditional" cases such as discrimination for sexual orientation.

**American Association of Law Schools Annual Conference**, Washington D.C., January 2007

Member of a panel on Globalization of Legal Education.

### **Media Appearances during 2010 – 2011**

La Tercera (Chilean Newspaper), June 12, 2011, Interviewed on Judge Karen Atala v. Chile case at the Inter American Court of Human Rights, Available at

<http://diario.latercera.com/2011/06/12/01/contenido/pais/31-72438-9-cidh-iniciara-en-agosto-audiencias-por-caso-de-jueza-atala.shtml>

CNN International (Spanish edition), December 5, 2010, Interviewed on Surrogacy laws in Latin America for program *Mirador Mundial*. Available at <http://www.muft.tv/watch/Video,Item,3406655562.html>

La Tercera (Chilean Newspaper), October 1, 2010, Interviewed on Judge Karen Atala v. Chile case at the Inter American System of Human Rights, Available at <http://latercera.com/noticia/nacional/2010/10/680-295823-9-abogada-que-lidera-defensa-de-jueza-atala-karen-se-atrevio-a-sacrificar-su-vida.shtml>

### **Memberships**

Chilean Bar Association, Santiago, Chile.

### **Languages**

English and Spanish (bilingual), French (reading skills).