

# EXPANDING CANNABIS OPERATIONS IN LATIN AMERICA & THE CARIBBEAN



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## Jurisdictions, Contacts, and Information

*(Current as of June 1, 2019)*

As many people are aware, Canada recently became the first G7 country to legalize and regulate the medical and adult-use of cannabis. This change in legislation has led to Canada holding a unique position in the emerging global cannabis market. Canada is home to some of the largest cannabis companies in the world.

This Practice Group was created because of rapid development that is occurring in the cannabis global industry. Notably, much of this growth is occurring in Latin America.

A strong relationship now exists between Canadian cannabis companies and the Latin America cannabis market.

Due to this new relationship, our Ottawa affiliate, Brazeau Seller Law, has been working closely with our Colombian affiliate, Posse Herrera Ruiz. As the cannabis industry will only continue to grow in Canada, Latin America, and beyond, Meritas has taken the proactive step of creating this Practice Group with a view to offering clients top-notch legal services for cannabis ventures in every major Latin American market.

The Practice Group is led by Mario Torres from Brazeau Seller Law in Ottawa, Canada and Monica Bonnett from Posse Herrera Ruiz in Bogota, Colombia.

Mario is a member of Brazeau Seller's CannaLaw group and has experience assisting clients as they expand their cannabis operations into Latin America.

Mario's skill set makes him extremely well positioned to assist clients with interests in Latin America. He is able to communicate fluently, both orally and in writing, in English and Spanish. Mario was born in Costa Rica, has lived in Guatemala, and obtained his M.A. in Latin American Studies from Columbia University.

Mario has experience working on legal matters in several Latin American countries and can be reached at [mtorres@brazeauseller.com](mailto:mtorres@brazeauseller.com) or 613-820-8301.

Monica is an Associate at Posse Herrera Ruiz. Her practice focuses on Intellectual Property.

Her experience includes filing, prosecution and enforcing patents, industrial designs and utility models rights. Due to her experience, handling big patent portfolios from U.S., Asia and Europe, Monica is the person in charge of developing business relationships with international clients.

She has advised American, European and Asian clients in various fields of technology: bio, life-science, telecommunications, software, consumer products and pharmaceutical industries. Likewise, she has participated in technology-transfer negotiation processes between Colombian and multinational companies, achieving win-win agreements.

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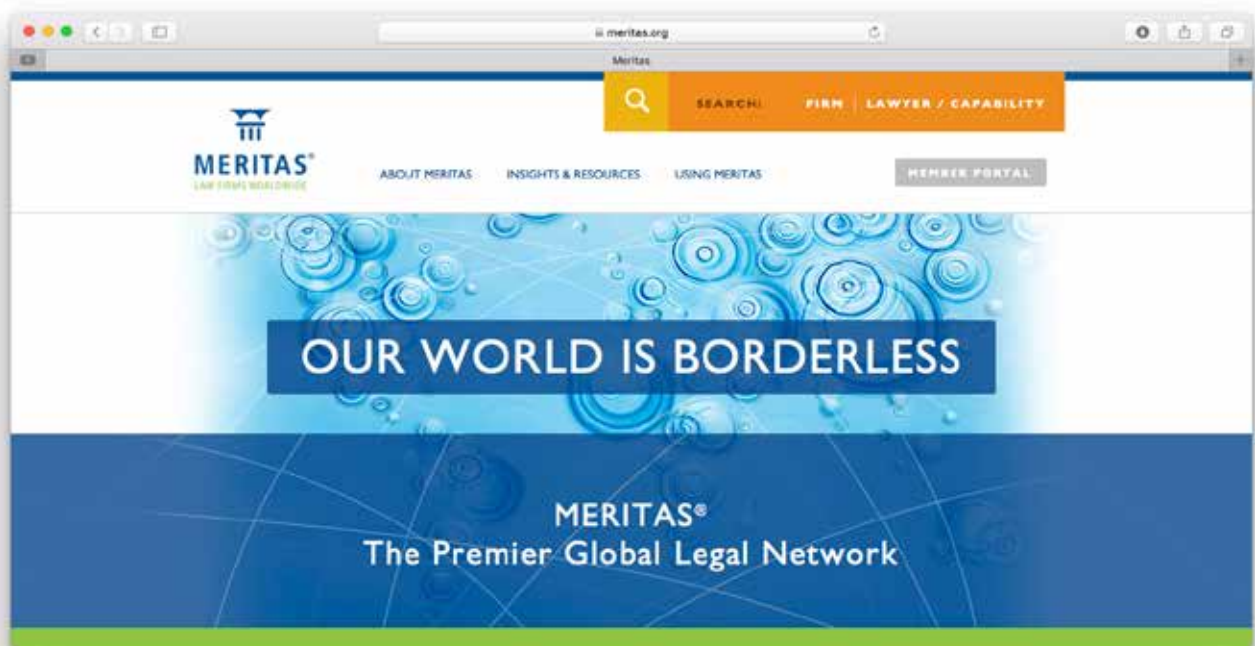
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# COLOMBIA

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<b>Medical Use</b>	Yes, regulations relating to medical use have been in place since 2017.
<b>Recreational Use / Adult Use</b>	No. Although the High Courts had permitted the minimum dose through various rulings, on October 2018 a new Decree prohibiting the recreational use came into force.
<b>Current Regime / Legislation (or Proposed Legislation)</b>	Resolution 579 of 2017, Resolution 2891 of 2017, Resolution 2892 of 2017, Resolutions 577 and 578 from the Ministry of Justice, Decree 2467 of 2015, Decree 613 of 2017, Law 1787 of 2016.
<b>Import / Export Opportunities</b>	Decree 613 of 2017 allows both: import and export of cannabis. However, it is believed that the export market will create much bigger opportunities for corporations and farmers.
<b>Market Size</b>	Population: 48.6 million.
<b>Current Context</b>	Mainly since the year 2017, Colombia has increased the number of licenses given to foreign and local corporations and farmers to cultivate cannabis. Many foreign companies are interested in buying local companies who are holders of licenses and cannabis farms. Also foreign companies have started to register trademarks for cannabis products in Colombia.
<b>Cultural Considerations</b>	Current government prohibited recreational use, but regulations on cannabis for medical and scientific purposes are still in force. Current government is very conservative, so uncertainty remains on the long-term approach.
<b>Investment Considerations</b>	Cannabis investment in Colombia has been intensely increasing mainly in the last 2 years, due to the creation of a more stable regulation and procedures. The number of licenses to legally cultivate cannabis granted by the Government has increased significantly as well. Projections indicate that Colombia will become a powerful focus of cannabis cultivation and production in the next years, especially because of regulations favourable to investors, the smaller production costs and the favourable climate and conditions for farming. The most relevant disadvantage: finance sector is still catching up to facilitate conditions regarding the management of resources of this industry.

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