

**DECISION C-221 /94 DRUG USE AS PERSONAL USE**

This judgment authorizes the personal use of drugs in Colombia, but still maintains the penalties for people who sell and distribute drugs. The Constitutional Court noted that the possession of narcotic drugs for personal consumption must not be subject to any legal penalty. However, the Court stated explicitly, it is within the discretion of the legislator “to determine the circumstances of place, age, temporary exercise of the activity and others, within which drug use is inadequate or harmful to the society”.

Some Justices expressed their dissenting opinion arguing that the decision was morally unacceptable and that it affected the prestige of the Constitutional Court, which is an Institution which has been working so hard to defend the legal order, the foundations of the Social Rule of Law, and the highest values of the Colombian society.