

## REVIEW

## Knowledge, Innovation and Business Ethics: The Case of Renderixarte in the Colombian Context

## Conocimiento, Innovación y Ética Empresarial: El Caso de Renderixarte en el Contexto Colombiano

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## ABSTRACT

**Introduction:** during the last decades, Colombia has undergone substantial social, economic and technological changes that have transformed the way in which organisations understand and manage knowledge. This intangible resource became an articulating axis between innovation, sustainability and business competitiveness. Knowledge management (KM) was consolidated as a key strategy, closely related to Corporate Social Responsibility (CSR) and the concept of knowledge societies.

**Development:** KM was understood as a structured process of creation, transfer and application of organisational knowledge. In Colombia, its implementation favoured efficiency, innovation and informed decision-making. At the same time, knowledge societies fostered a culture based on collective learning, intellectual property and human talent as strategic assets. CSR, for its part, was understood as the ethical commitment of companies to their environment, integrating social, environmental and labour factors. At the legal level, Colombian private law, together with constitutional norms and international treaties, provided a framework for the interrelation between these three concepts. The case of the company Renderixarte evidenced how academic knowledge and innovation translated into responsible and sustainable business practices.

**Conclusion:** the articulation between CG, CSR and knowledge societies defined a new business route in Colombia, guided by ethics, legality and the value of shared knowledge. This approach proved to be key to strengthening the country's productive fabric and moving towards sustainable and inclusive development.

**Keywords:** knowledge management; social responsibility; innovation; private law; sustainability.

## RESUMEN

**Introducción:** durante las últimas décadas, Colombia experimentó cambios sustanciales en lo social, económico y tecnológico, que transformaron la manera en que las organizaciones comprendieron y gestionaron el conocimiento. Este recurso intangible se convirtió en un eje articulador entre innovación, sostenibilidad y competitividad empresarial. La gestión del conocimiento (GC) se consolidó como una estrategia clave, en estrecha relación con la Responsabilidad Social Empresarial (RSE) y el concepto de sociedades del conocimiento.

**Desarrollo:** la GC fue comprendida como un proceso estructurado de creación, transferencia y aplicación del saber organizacional. En Colombia, su implementación favoreció la eficiencia, la innovación y la toma de decisiones fundamentadas. A la par, las sociedades del conocimiento impulsaron una cultura basada en el aprendizaje colectivo, la propiedad intelectual y el talento humano como activos estratégicos. La RSE, por su parte, fue entendida como el compromiso ético de las empresas hacia su entorno, integrando factores sociales, ambientales y laborales. A nivel jurídico, el derecho privado colombiano, junto a normas constitucionales y tratados internacionales, ofreció un

marco propicio para la interrelación entre estos tres conceptos. El caso de la empresa Renderixarte evidenció cómo el conocimiento académico y la innovación se tradujeron en prácticas empresariales responsables y sostenibles.

**Conclusión:** la articulación entre GC, RSE y sociedades del conocimiento definió una nueva ruta empresarial en Colombia, guiada por la ética, la legalidad y el valor del saber compartido. Este enfoque demostró ser clave para fortalecer el tejido productivo del país y avanzar hacia un desarrollo sostenible e inclusivo.

**Palabras clave:** gestión del conocimiento; responsabilidad social; innovación; derecho privado; sostenibilidad.

## INTRODUCTION

Colombia has experienced social, technological, and economic transformations in recent decades that have changed how organizations conceive and manage knowledge. Incorporating information and communication technologies (ICT) and the growing importance of innovation and sustainability has positioned knowledge management (KM) as a strategic factor for business competitiveness.

Corporate Social Responsibility (CSR) concepts and knowledge societies have been consolidated as fundamental pillars in organizational development and public policy formulation. These dimensions respond to the demands of the globalized environment. They are closely linked to the normative framework of Colombian private law, which regulates relations between individuals, including companies, and their ethical, social, and environmental duties.

This paper aims to review the conceptual, legal, and jurisprudential framework that interrelates knowledge management, CSR, and knowledge societies in the Colombian context, highlighting their relevance in the contemporary business structure. To this end, it analyses doctrinal foundations and national and international regulations and incorporates a practical case study that exemplifies the implementation of these concepts at the local level.

This review offers an integrated vision of how knowledge, as an intangible asset, becomes an articulating axis between innovation, social responsibility, and compliance with legal provisions, strengthening the Colombian business fabric.

## DEVELOPMENT

### CONCEPTUAL AND THEORETICAL FRAMEWORK

#### Knowledge Management (KM)

Knowledge management refers to an organization's strategy and processes to efficiently and effectively create, acquire, store, distribute, and apply knowledge. In business, KM is essential to improve innovation, decision-making, and competitiveness. In Colombia, KM has become a necessary focus for many companies seeking to optimize their operations and keep abreast of the latest trends. Different processes or methods of adaptation have emerged, one of them is "the General Knowledge Management Maturity Model (GKMM), according to authors Pee, Teah, and Kankanhalli: a descriptive model that presents the essential attributes that characterize an organization at a particular level of knowledge management maturity. It is also a normative model in which core practices characterize the ideal environment that should be expected in an organization implementing knowledge management. (Pee, 2006).

In a review of the conceptual foundations and research aspects of KM systems, authors Alavi and Leidner, 2001, define: 'Organisations as knowledge systems that have four knowledge processes: creation (referred to as construction), storage/retrieval, transfer, and application' (Leidner, 2001) Holsapple, Joshi and Pentland 'identified the main knowledge manipulation activities: knowledge acquisition, selection, internalization, and utilization' (Holsapple, 2002). Holzner and Marx examined 'information technology (IT)-based KM efforts in terms of three processes: creating, exchanging and using knowledge' (Holzner, 1979). Rojas and Vera state that 'knowledge management seeks to create value from the intangible assets of an organization. Therefore, human resources are indispensable in achieving a competitive advantage; these are managed through an organizational culture that allows the creation and dissemination of knowledge (Rojas Lindarte, 2017). This conception is most appropriate for the Colombian context, considering the excellent intellectual property and creative resources that flood this country. It is becoming increasingly common for knowledge to be given importance as a distinguishing element.

Knowledge management and learning about the environment in a global market provide real competitive advantages. Corporate knowledge management has been the structure that allows a project to be defined and set in motion, allowing the creator of the main idea that seeks to materialize to get to know the environment he wants to reach. Around all this construction, many theories have grown which, if taken to the field when implementing a business idea, establish the profitability of the business project and even the level of success when the variables are adequately defined, which leads to a satisfactory reduction in the levels of risk that exist in an investment, This is true for the early stage when they are companies with a long trajectory and a project that has already been developed and has been successful, the administration is in charge of two main areas, on the one hand the administration of the finances and on the other hand the organizational aspects that allow the cohesion of all the actors that participate in the functions of the business structure. Nowadays, the latter requires perhaps the most significant effort and investment

on the part of a company that wants to remain in the echelon of excellence, as it will be the users who, through their platforms, will judge whether they are proceeding correctly with their functions, including the satisfaction of their employees. It should not be forgotten that one of the goals of a company is that its workers also consume its product or service. Knowledge in its construction contains methods; methods are not always of the scientific type or those recognized in the field of research; in some environments, methods are related to the phases or techniques given spontaneously necessary to constitute knowledge.

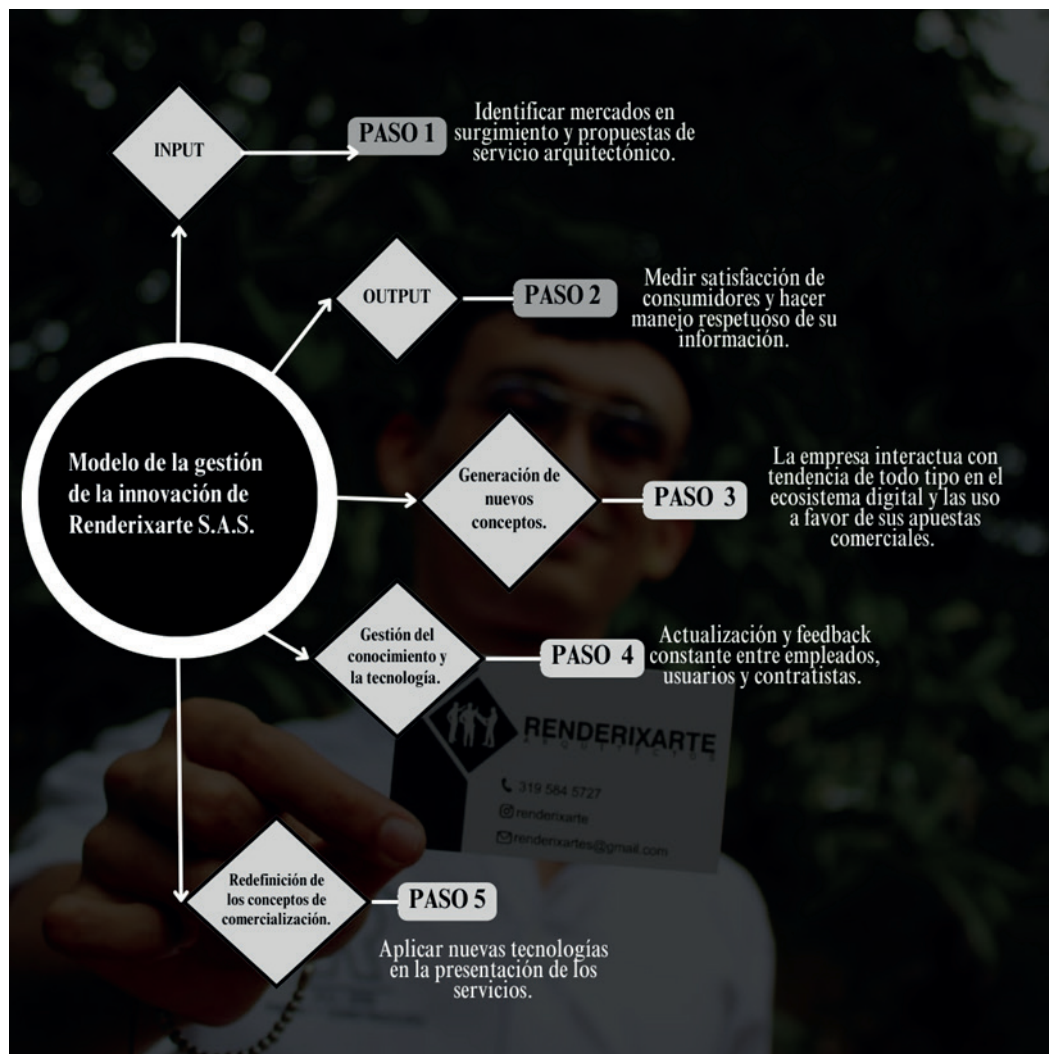


Image 1. Knowledge management process for innovation

### Knowledge societies

Knowledge societies are those in which knowledge generation, dissemination, and application are fundamental for economic and social development. In Colombia, promoting knowledge societies has become a priority for government and business, as the importance of education, technology, and innovation is recognized. From the legal point of view, companies are fictions that contain a corporate name in which a margin of operational actions is consigned; from that conception, everything that includes the organizational structure between the actors that execute the functions and the purpose is a concrete purpose of the brand or, as is popularly known, the mission. There are many ways to implement what was outlined in this confirmation document to initiate a company's legal and commercial life. The organization's soul comprises the people in charge of that operation, and everything that flows amid labor relations is the construction of management that carries implicit knowledge. This experience, which then validates individual and collective methods, allows for the proper creation and growth of the business structure. The importance of understanding the above is the adaptability that organizations must have to the social demands of responsibility for the management of themselves; how capital is built is now more relevant than it was at the beginning of the 21st century and will continue with this upward trend due to the search for collective wellbeing. Learning about intellectual property is key to valuing knowledge management and enriches business assets, as well as expanding opportunities for human capital, as it raises competitiveness and brings productivity-related mechanisms to the

forefront of business.

The phases and processes of corporate knowledge management have a *raison d'être* that must be understood by those at the helm of companies, leading to advancement and innovation. Two factors are involved in today's successful organizations. They refer to communities in which the production, acquisition, and application of knowledge are key drivers of economic and social progress. Like other countries, Colombia has promoted a knowledge-based society, recognizing the importance of quality education, investment in technology, and innovation to drive sustainable development. Transitioning to a knowledge-based society requires business, government, and civil society collaboration.

### **Innovation**

Innovation was described by the Austrian economist Joseph Schumpeter, who contributed to the economic literature and defined it as follows:

The introduction of a good (product) new to consumers or of higher quality than previous ones, the introduction of new production methods for a sector of industry, the opening of new markets, the use of new sources of supply, or the introduction of new ways of competing that lead to a redefinition of industry (Schumpeter, 1942).

Innovation in organizations follows a process that, whether or not it is recognized, is knowledge management, which is why it is essential that the organisational culture can be made known and that the results of this process are not left to improvisation and applied vaguely, but that they fulfil the purpose of internalizing and improving production cycles and the well-being of human capital. For Diana León (2012) quoted by Calvo Giraldo, O. (2018):

Knowledge-based organizations are structures in which knowledge sharing is essential to maintain efficiency while problems are solved by a special type of employees called knowledge workers. In this type of organization, there are two essential elements. Firstly, Human Talent is a determining factor to which the success or failure of the organization is attributed, with qualified and highly skilled workers being the major workforce. Secondly, innovation is a factor inherent to the strategy of these organizations (Calvo Giraldo, 2018).

Social innovation means establishing new links and relationships that help overcome the lines of fragmentation where social exclusion predominates. "Social innovation promotes spaces for reinsertion in the labor market and politics through the active participation of the various actors involved, (Herrera, 2015). One of the terms most commonly coined for organizational knowledge is the management and handling of the most valuable resources for the company, among them human capital and how it performs according to the functions and satisfaction of the needs of the consumers of goods and services. Organizational aspects allow structures that collectively respond to social requirements to have a healthy environment in which ideas can develop freely without affecting the quality of what is to be presented to the public.

### **Intellectual Property**

Intellectual property in Colombia refers to the legal protection of creators' rights over their intellectual works. These rights cover various forms of expression, from artistic and literary works to inventions and trademarks. Intellectual property is regulated in Colombia through specific laws and international agreements.

**Copyright:** These rights protect original works, such as books, music, films, software, art, and other literary and artistic creations. Copyright holders have the exclusive right to copy, distribute, and adapt their works.

**Industrial property** covers inventions (patents), trademarks, trade names, industrial designs, and trade secrets. It relates to protecting innovation and companies' identities.

**Trademark law:** This right protects trademarks used to identify products and services. Trademarks give the owner the exclusive right to use the mark and prevent others from using it without permission.

**Patent Rights:** Patents protect new and useful inventions and discoveries. Patent holders have the exclusive right to make, sell, or use the invention for a specified period.

**Industrial Design Law** protects a product's aesthetic appearance. This applies to the ornamentation of an article, its shape, or its colour combination.

**Trade Secret Right:** This right protects confidential information that is valuable to a company and is kept secret to gain a competitive advantage. This can include formulas, manufacturing methods, and other confidential data (WIPO World Intellectual Property Organization, 2023).

About the classification of Intellectual Property in Colombia, according to the code of commerce, it is classified into two main categories

- **Traditional Intellectual Property:** Includes copyright and literary and artistic creations. The regulation is found in Law 23 of 1982 (Copyright Law), which deals with the protection of literary and artistic works.
- **Industrial Property:** This category focuses on the protection of inventions, trademarks, industrial designs and trade secrets. Regulation is found in Law 1581 of 2012 and its regulatory decrees, as well as in the industrial property regime contained in Decision 486 of 2000 of the Andean Community Commission (WIPO World Intellectual Property Organization, 2023).



The classification of intellectual property in Colombia reflects its importance in promoting creativity and innovation and protecting the rights of intellectual and industrial works holders. The laws and regulations in Colombia are in line with international standards, and the country is party to international agreements such as the Berne Convention, the Paris Convention, and the Patent Cooperation Treaty (PCT), among others, which govern intellectual property globally.

### **Corporate Social Responsibility (CSR)**

CSR involves companies integrating ethical, social, and environmental considerations into business operations and interacting with all stakeholders. In Colombia, CSR has gained importance due to the growing awareness of the need to contribute to the well-being of society and sustainable development. Organizational knowledge is widely linked to psychology; it is a door that opens to understanding human beings, even in productive environments. As a positive response to this inclusion, many organizations speak of greater profitability and the possibility of enhancing the skills of a work team through appropriate attention and without pressure towards their natural performance. It should be noted that these are not strategies that seek to diminish responsibilities; it is clear that discipline and constancy are among the organizational qualities that should prevail, regardless of the tools that are implemented to improve functionality and productivity. What is systemically implicit in the culture of the organization and the way it relates to knowledge is the use of the understanding of different disciplines integrated into collective work.

The continuously growing business sector undergoes frequent changes to adapt to social dynamics that are highly competitive; achieving market positioning is not a matter of luck or improvisation; it is a matter of constancy and the appropriate reading of the actors involved in each phase of the economy, as well as of consumers. Knowledge management is not limited to educational or academic aspects, although these are directly related to business management. For example, when talking about organizational aspects, it is understood as an interdisciplinary whole that intervenes in the creative atmosphere of the company because it has come to be understood that behind the performance and good results of a company is good teamwork, with a precise distribution of roles and responsibilities. This being so, we get the priority of any business organization today: an efficient team delivers optimal primary results, and for this, the flow of ideas must be permanent.

Of course, some roles do not need great ideas but rather well-resolved technicalities and well-executed tasks, and this is where the functional part comes in, facilitated by technological equipment that allows tasks to be carried out in sequence in a much more organized way so that the real task of human beings consists precisely in generating knowledge. CSR has become a moral and commercial imperative in the 21st century. Colombian companies understand that their success goes beyond financial profit; they must also take responsibility for promoting the well-being of society and protecting the environment. CSR involves integrating ethical, social, and environmental practices in all company operations, including contributing to sustainable development, improving working conditions, and respecting human rights.

### **Private Law**

Colombian Private Law is the branch of law regulating relationships between private parties and issues of property, contracts, obligations, and individual responsibilities. This area of law is fundamental to Colombia's legal structure and governs much of the day-to-day interactions between citizens and businesses. Colombian Private Law encompasses various legal topics and aspects, some of which include:

- Civil Law is an essential part of Colombian Private Law that deals with issues such as property, contracts, obligations, family rights, inheritance, and other matters related to individuals and their patrimony.
- Commercial Law regulates commercial and business relations, including the creation and operation of companies, commercial contracts, intellectual property, competition, and bankruptcy.
- Family Law regulates family relations, including marriage, divorce, child custody, adoption, and other family-related matters.
- Inheritance law Sets out the regulations for transferring property and assets after a person's death, including inheritance and wills.
- Contract law regulates the creation, interpretation, and execution of contracts between private parties, establishing the obligations and rights of the parties involved.
- Intellectual Property Law: Protects intellectual property rights, such as patents, copyrights, and trademarks.
- Consumer and User Law: Establishes regulations to protect consumers and users in commercial transactions and services.
- Notary and Registry Law: Regulates the role of notaries and the registration of property and other rights in public registries (OAS, 2010).

The Colombian legal system is based on Colombia's political constitution and the laws that Congress passes. The Civil and Commercial Codes are two of the primary sources of legislation governing private law in the country. Colombian Private Law is a fundamental part of the country's legal system and covers various matters related to

private relationships between individuals and companies. It regulates matters ranging from property and contracts to family and inheritance law. Laws and regulations in this area are fundamental to guaranteeing justice and protecting individual and property rights in Colombia.

About the Theoretical Framework, Knowledge Management (KM) refers to the identification, creation, acquisition, storage, distribution, and application of knowledge within an organization. KM seeks to optimize the use of knowledge to improve a company's decision-making and operational efficiency; a strong emphasis on the generation, dissemination, and application of knowledge in all aspects of economic, social, and cultural life characterizes Knowledge Societies. Knowledge Societies promote innovation and collaboration, which can lead to sustainable development. CSR refers to the commitment of companies to the ethical and sustainable management of their operations and their impact on society and the environment. Companies that embrace CSR seek to balance their economic objectives with social and environmental well-being. CG can play a key role in CSR by enabling companies to identify, manage, and share the knowledge necessary to make socially and environmentally responsible decisions. Colombian private law may require companies to include KM in their CSR approach, ensuring they make informed and ethical decisions. The promotion of knowledge societies can be linked to CSR, as it promotes investment in education, technology, and sustainable development, which can benefit both business and society. Colombian private law can establish regulations related to CG and CSR, including disclosure of information, penalties for non-compliance, and obligations of companies in terms of legal liability. In 21st-century Colombia, knowledge management, knowledge societies, and corporate social responsibility are interconnected concepts that significantly impact the business and legal environment. Colombian private law can regulate and encourage responsible practices in business, promoting sustainable development and contributing to social welfare.

Knowledge management is fundamental to developing knowledge societies, as it involves creating, transferring, and applying knowledge to promote innovation and competitiveness. Knowledge societies require a strong commitment to CSR, as companies must consider their social and environmental impact and their responsibility for sustainable development. CSR can integrate practices related to knowledge management, such as promoting education and skills development, collaboration with research institutions, and transparency in the communication of relevant information. Knowledge management can also support CSR by improving evidence-based decision-making, facilitating internal and external communication, and fostering innovation in areas that promote social and environmental well-being. The theoretical framework on knowledge management, knowledge societies, and CSR highlights the importance of combining efforts to achieve ethical and sustainable business development, harnessing knowledge as a key resource in this quest.

The constitutional, legal, normative, and jurisprudential foundations of Knowledge Management and Knowledge Societies vis-à-vis Corporate Social Responsibility within the Colombian legal system.

### **Constitutional basis**

The Colombian constitutional basis for knowledge management and knowledge societies is mainly found in several principles and provisions of the 1991 Political Constitution of Colombia. Although the Constitution does not address these concepts explicitly, it establishes foundations that are relevant for promoting knowledge management and the development of knowledge societies in the country:

Article 61 [textual quotation] Intellectual Property: 'This article makes the State responsible for the protection of intellectual property through provisions and laws that regulate the aforementioned, highlighting that intellectual property is a fundamental instrument of knowledge management because this implies creation and protection of ideas and knowledge of an organization.'

Article 70 [quote] Cultural Diversity and Protection of Cultural Heritage: "This article highlights the importance of protecting and promoting Colombia's cultural diversity. Companies can play a role in preserving and promoting culture, which is aligned with aspects of CSR related to supporting culture and local communities". (National Constituent Assembly, 1991).

Article 71 [quote] Access to Culture and Science: "Establishes that the State must promote culture and science. This implies access to information and knowledge in these areas. Knowledge management is directly related to guaranteeing access to information and promoting research".

While these constitutional articles do not directly mention knowledge management and knowledge societies, they provide a legal basis for promoting the generation and application of knowledge in Colombia, especially in areas related to culture, science, technology, innovation, and sustainable development. The implementation and promotion of these ideas depend to a large extent on specific policies and programs developed by the Colombian government and other interested institutions.

Corporate Social Responsibility (CSR) in Colombia is based on several constitutional and legal foundations that promote corporate ethics, sustainability, and social commitment. Although the 1991 Political Constitution of Colombia does not directly address CSR, some principles and regulations support this practice. Some of the relevant constitutional foundations include:

Article 333 [textual quotation] Free Competition: "This article establishes that free competition is a right of all and

should be promoted. In the context of CSR, this implies that companies should compete ethically and fairly, avoiding monopolistic or anti-competitive practices that harm society”.

Article 79 [quote] Right to enjoy a healthy environment: ‘The state shall protect the environment, the quality of the environment for people and promote education for its defense.’

Article 334 [citation] Social Function of Private Property: “This article provides that private property is subject to a social function that implies obligations. This supports the idea that companies are responsible for contributing to social welfare and sustainable development”.

Article 366 [quote] Environment and Sustainable Development: “This article establishes the responsibility of the State and society to preserve the environment and promote sustainable development. As key economic actors, businesses have a role in preserving the environment and promoting sustainable business practices”.

While the Constitution does not directly specify CSR, it provides a legal framework and principles supporting the idea that business has a social and ethical responsibility. The promotion and regulation of CSR are mainly carried out through voluntary agreements, sound business practices, and collaborations between government, business, and civil society, such as the Codes of Ethics and Good Business Practices; at the national level, many companies and sectors have adopted codes of ethics and good business practices, which seek to promote social responsibility and sustainability in their activities. Article 333 indicates the business factor exhaustively, and although the State must stimulate and protect it, it adds limitations and social and environmental commitments because in the development of carrying out an organized economic activity, society or the so-called stakeholders, which would be consumers, people indirectly related to a company and workers, may be affected:

This freedom of competition is a right; it has a higher purpose, which broadens the meaning of this freedom by introducing a duty, which ‘should not be expected as an objective in itself, but as an instrument for the achievement of broader objectives, such as social welfare, the efficient allocation, and management of resources, or environmental sustainability’ (Lorenzo, 2011).

Although the Colombian Constitution does not directly address Corporate Social Responsibility, it establishes a framework for promoting culture, science, and innovation, indirectly supporting socially responsible business practices in knowledge management and knowledge societies. The implementation of CSR is based on voluntary agreements, good business practices, and partnerships with the public sector and civil society in Colombia. In this way, the Charter regulates corporate responsibility, adding a significant detail in the article, which is a social function, which, rather than increasing its profit, is to contribute to the welfare of the surrounding society.

### Constitutional Block

Colombia has ratified several international agreements and treaties related to knowledge management, intellectual property, and access to information. Some of the most relevant agreements and treaties include:

Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS): Colombia is a party to TRIPS, which is part of the World Trade Organisation (WTO). This agreement regulates intellectual property issues, such as copyright, patents, trademarks, and trade secrets, which are fundamental for knowledge management and innovation (World Trade Organization, 2021). (World Trade Organization, 2021).

Berne Convention for the Protection of Literary and Artistic Works: Colombia is a signatory to the Berne Convention, which sets standards for copyright protection. This treaty is relevant to managing literary and artistic works and access to information (Organization of American States, 1979).

Universal Copyright Convention: This convention, promoted by UNESCO, establishes principles and norms on copyright internationally. Colombia is a party to this treaty (UNESCO, 1971).

Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS-IP): Colombia is also party to the TRIPS-IP, a WTO agreement that focuses specifically on protecting intellectual property rights in industrial property. (World Trade Organization, 2021)

Patent Cooperation Treaty (PCT): Colombia is a member of the Patent Cooperation Treaty, which facilitates applying for and protecting patents in multiple countries. (WIPO, 2016).

Convention on Access to Information, Public Participation in Decision-Making, and Access to Justice in Environmental Matters (Escazu Convention): Colombia is a party to this convention that promotes access to environmental information and public participation in environmental decision-making (ESCAZU COLOMBIA, 2018). (ESCAZU COLOMBIA, 2018)

Free Trade Agreements (FTAs): Colombia has signed several FTAs with different countries and regions, and these agreements often include provisions related to intellectual property and knowledge management. (Ministry of Commerce, Industry and Tourism, 2024).

These international treaties and agreements provide a legal framework for knowledge management, copyright protection, patents, and other aspects related to intellectual property, as well as access to information. They also impact the promotion of research, innovation, and access to information in Colombia’s knowledge management context. Colombia has ratified several international agreements and treaties related to Corporate Social Responsibility (CSR) and related issues. However, most are more general regarding human rights and sustainable development.

Agreements and treaties that may relate to CSR include:

United Nations Global Compact: Colombia is a signatory to the United Nations Global Compact, which sets out principles for companies in areas such as human rights, labor standards, environment, and anti-corruption. The Global Compact is one of the most important international frameworks for promoting CSR (Global Compact Colombia, 2018).

ISO Standards on Social Responsibility: Although not international treaties, ISO 26000 and other CSR-related standards are widely used around the world, including Colombia, to guide CSR practices in companies and organisations (ISO 26000, 2011).

International Labour Organization (ILO) Conventions: Colombia has ratified several ILO conventions that are related to labour issues and workers’ rights, which influence companies’ CSR practices (International Labour Organization, 2016). (International Labour Organization, 2016).

Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy (ILO Declaration): Colombia is a member of the ILO, and this declaration sets out principles for multinational enterprises regarding employment, equal opportunities, and other issues of relevance to CSR. (International Labour Organization, 2016)

Paris Agreement (Paris Climate Agreement): Although not directly related to CSR, the Paris Agreement, to which Colombia is a signatory, addresses environmental issues and climate change, which can influence companies’ sustainable practices (UNFCCC, 2016)

**Table 1.**  
*Andean decisions*

|   |   |
|---|---|
| Andean Decisions on Intellectual Property 345/1993.   | This regulation seeks to encourage and protect agricultural innovation and food security in the region.   |
| Andean Decision on Intellectual Property 351/1993.  | It specifies the moral and economic rights that authors have, the economic rights that refer to the economic exploitation of the work and the moral rights, which are unrenounceable and inalienable.   |
| Andean Decisions on Intellectual Property 486/2000: Important aspects of intellectual property were regulated in order to protect, to encourage and protect copyright in the region. Chapter II states: | Patentability requirements: To be patentable, an invention must be new, involve an inventive step and be susceptible of industrial application.<br><br>Non-patentability: Scientific theories, mathematical methods, plants and animals (except micro-organisms), among others, are not considered inventions.<br><br>Rights of the holder: The holder of the patent has the exclusive right to exploit his invention for a period of 20 years from the filing date of the application. |

**Source:** Andean Community (2009)

It is important to note that although Colombia has ratified these international treaties and agreements, promoting and implementing CSR at the national level also depends on the country’s domestic legislation and policies. In Colombia, CSR has gained prominence in recent years, and many companies have adopted socially responsible practices in areas such as the environment, labor rights, community investment, and corporate transparency. These practices often align with the principles set out in the aforementioned international treaties. It is a notorious fact that in the globalization of the economy, Corporate Social Responsibility (CSR) has been a subject of constant study by international organizations, seeking to give it a standardized regulation that serves as a precept for all countries. The main objective of all this is to protect the human rights of people and environmental rights that are threatened by the fulfillment of the objectives of the companies that carry out their activities. The United Nations in the last two decades:

It has made a serious effort by appointing a competent working group to protect human rights against companies, in which they have been trying to elaborate a legally binding instrument to regulate the activities of transnational corporations and other companies in international human rights law (United Nations, 2014).

In the four areas of CSR mentioned in the Global Compact, which are human rights, environmental rights, labor rights, and the fight against corruption, it is possible to detail the close relationship between these areas and the Colombian Political Constitution, important rights protected by the Charter; the fundamental human rights included explicitly in chapter one, articles 11 to 41 and others. The regulation of environmental rights is embodied in Articles 8, 79, and 80 of the Political Charter. The labor rights are enshrined in articles 1, 25, and 53. Thus, the World Summit of the United Nations (UN) describes that ‘any person should possess a sufficiently broad ICT capacity space to be able to use it’ (Echeverría, 2008) and be an active member in managing knowledge and innovation. However, these capacities vary between countries and regions; perhaps ‘the problematic gap could be reduced through education, to encourage learning and better use of computer media’ (Gordillo, 2005). The Colombian constitutional block related to knowledge management and knowledge societies is based on constitutional principles, national laws, international



agreements, and government policies that promote culture, research, innovation, and knowledge protection. These elements provide the legal and regulatory framework for promoting knowledge management and CSR in Colombia, although no specific provision directly links them.

## LEGAL FRAMEWORK

At the national level, in a very similar way, the legislative body has not pronounced itself precisely regarding the regulation of knowledge management and CSR. However, there are brushstrokes in general laws and regulations governing intellectual property, innovation, research, and other aspects related to knowledge management:

Law 23 of 1982 - Copyright: This law regulates copyright protection in Colombia, including aspects such as the reproduction, distribution, and use of literary, artistic, and scientific works (Congress of Colombia, 1982).

Law 44 of 1993 - Invention Patents and Utility Models: This law protects inventions and utility models, granting inventors exclusive rights over their inventions for a determined period (Congress of Colombia, 1993).

Law 1185 of 2008—Preservation of the Nation's Cultural Heritage—promotes research and knowledge management in cultural heritage and establishes measures to promote corporate social responsibility in protecting cultural heritage (Congress of Colombia, 2008).

Law 1258 of 2008 - Law on Micro, Small, and Medium Enterprises: Although 'this law does not directly address CSR, it promotes the development of enterprises, including micro, small and medium enterprises, which may have implications for the promotion of CSR in the business sphere' (Congress of Colombia, 2008).

Law 1341 of 2009 defines the principles and concepts of the information society and the organization of Information and Communication Technologies and establishes the regulation of these. However, above all, for our interest, it determines the importance of these in knowledge societies and how this is carried out in a certain way in article 2 of the guiding principles, section 7, which sets out the constitutional importance of ICTs and the objective of these in education and access to knowledge (Congress of Colombia, 2009). (Congress of Colombia, 2009).

Law 1450 of 2011 - National Development Plan: This law establishes policies and programs related to innovation and competitiveness in Colombia (Congress of Colombia, 2011).

Law 1116 of 2006 - Corporate Insolvency Law: This law promotes innovation by facilitating the restructuring of companies in financial difficulties, which can foster knowledge management and investment in research and development (Congress of Colombia, 2006). (Congress of Colombia, 2006).

Law 1581 of 2012—Personal Data Protection Law: This law regulates the collection, processing, and protection of personal data, an important aspect of knowledge management in a digital environment (Congreso de Colombia, 2012).

Law 29 of 1990 - Law for the Promotion of Scientific Research, Technological Development, and Innovation in Colombia: This law establishes policies and programs to promote research, science, technology, and innovation in Colombia (Congreso de Colombia, 1990).

Law 1834 of 2017 encourages the development of the orange economy in Colombia. This law promotes the orange economy, which involves the generation of value through creativity, innovation, and knowledge management in sectors such as art, culture, technology, and entertainment (Congress of Colombia, 2017).

In addition to these laws, some specific regulations and decrees complement the regulations in areas such as intellectual property, research, and innovation. On Knowledge Management, in Decree 430 of 2016, which:

Modifies the structure of the Administrative Department of the Civil Service. In Article 11, twelve subparagraphs define and punctuate the importance of knowledge management. This article creates the directorate of knowledge management in the civil service. However, it very assertively covers the notion of knowledge management that relates to the advancement of this and the shared strategy that it deals with not only for public and private entities but also in the field of academia, as indicated in paragraph 2 of this article 'To develop the necessary skills for the generation of knowledge and to value and assimilate that which originates in other public and private entities or the academy' (Presidency of the Republic of Colombia, 2016).

It also provides guidelines, tools, and policy instruments, in coordination with other relevant entities, for 'the proper implementation of the sixth dimension and the knowledge management and innovation policy within the framework of the Integrated Planning and Management Model - MIPG, and whose leadership is assumed by the Administrative Department of the Civil Service' (Civil Service, 2023). Paragraph 6 of the aforementioned article states, 'To direct and guide the generation of knowledge on public employment, administrative organization, institutional performance, internal control, transparency and citizen participation in public management, streamlining of procedures and citizen service' (Presidency of the Republic of Colombia, 2016).

The activity and impact of knowledge management for the benefit of the effective and complete service to the citizen and in paragraph 10, the promotion of knowledge even for government decision-making, stating 'the benefit for the Colombian State 'To promote the growth of knowledge and generate timely information for government decision-making' (Presidency of the Republic of Colombia, 2016).

Regarding Knowledge Societies, although in Colombia there is no specific law or regulation on knowledge societies, there have been different pronouncements from different institutions by the government to strengthen and direct

the use and, of course, the practice in all sectors of knowledge societies, for the broad spectrum of welfare that this means for a State, understanding all the fields that this benefits, mainly the development and advancement of any country or society. This expansion of techniques for applying knowledge achieves its objectives through education systems through ICT, where we can affirm that they are a knowledge society. The Ministry of Education, in an article of reflections and proposals, states:

“In order to advance in the development of ICT and achieve its contribution to increasing the country’s productivity and growth, and consequently to the well-being of its people, it requires the cooperation of many actors who are moving in the same direction, and who adopt credible and firm commitments as a signal to the rest of the actors. In particular, Colombia’s universities can contribute to institutional change and economic growth with an approach that integrates the solution of the country’s critical problems with the generation of knowledge. To do so, they must advocate a change in their relations with society, the state, and industry. Research and economic and social activities must be strategic complements” (Ministry of Education, 2020).

Law 1341 of 2009, which defines the principles and concepts of the information society and the organization of Information and Communication Technologies, indicates the regulation of these, but, above all, for our interest, it determines the importance of these in the knowledge societies and how in a certain way it is carried out in its article 2 of the guiding principles, section 7, which states the constitutional importance of ICT and the objective of these in education and access to knowledge.

“In the development of articles 16, 20, and 67 of the Political Constitution, the State shall provide all Colombians with the right to access basic information and communication technologies, which allow the full exercise of the following rights: Freedom of expression and to disseminate their thoughts and opinions, the free development of personality, the right to inform and receive truthful and impartial information, education and access to knowledge, science, technology, and other cultural goods and values...” (Congress of the Republic of Colombia, 2009).

Article 3 of the same law states about knowledge societies: [textual quotation] Information and Knowledge Society. The state recognizes that access to and use of information and communications technologies, the deployment and efficient use of infrastructure, the development of content and applications, the protection of users, and the training of human talent in these technologies and their cross-cutting nature are pillars for the consolidation of information and knowledge societies”. (Congress of the Republic of Colombia, 2009).

Many CONPES regulations in Colombia also deal with knowledge management and the importance and prominence of the Science, Technology, and Research (STI) system.

**Table 2.**  
*Regulations of the National Council for Economic and Social Policy (CONPES)*

|                     |   |
|---------------------|---|
| CONPES 3533 de 2008 | This established a national policy for the promotion of research and innovation in Colombia, strengthening the Science, Technology and Research (STI) system. |
| CONPES 3981 de 2020 | The national Orange Economy strategy is promoted, valuing the knowledge generated in cultural and creative sectors.   |
| CONPES 3866 de 2016 | A policy to strengthen Science, Technology and Innovation through knowledge management for economic and social development.                                   |
| CONPES 3920 de 2018 | In order to transfer knowledge, this policy is developed to strengthen Intellectual Property in Colombia, establishing mechanisms for its commercialisation.. |

Source: Congress of Colombia (n.d.)

A specific law does not directly regulate Corporate Social Responsibility CSR. However, the executive branch periodically creates a National Action Plan to regulate companies regarding human rights. The National Action Plan for Business and Human Rights 2020/2022 relates different objectives to all the approaches, international treaties, and challenges that the country faces in the construction of public policies to guide the social responsibility that companies have as important actors within a society and the guarantee that they have to present to the community in which they carry out their commercial activities. Pillar 2 of the NAP presents the coerciveness of respect for human rights:

“Businesses have a responsibility to respect human rights, i.e., not to infringe on the rights of people wherever they operate and regardless of their size or the sector to which they belong, and to address the consequences that their activities generate directly or indirectly. This responsibility exists irrespective of the capacity or willingness of states to comply with their obligations. Indeed, companies comply with this responsibility through human rights due diligence” (Consejería Presidencial, 2020).

In addition to this, understanding that the State must protect the environment, and this is linked to what CSR represents, the Ministry of Environment and Sustainable Development (MADS) is linked to this commitment and affirms that ‘Protecting the country’s biodiversity is a commitment of the National Government, especially the Ministry of Environment and Sustainable Development, thanks to the Environmental Crimes Law, sanctioned in July 2021...’

(MADS, 2022). Therefore, it is important to include in this chapter laws such as Law 1382 of 2010 of the Code of Mines and Environmental Protection, law 599 of 2000 of the Colombian criminal code in its title XI, which regulates crimes against environmental resources and the environment, Decree 2150 of 1995 which also regulates environmental provisions and licenses. These laws and regulations support the development of knowledge management, innovation, and research in Colombia and promote an enabling environment for promoting knowledge societies.

### **Jurisprudential Framework**

Jurisprudentially, there is much development in Corporate Social Responsibility, from the different contexts that this merits, giving importance to this subject, which undoubtedly lacks in positive law. A critical judgment that can be cited is Judgment C 608 of 2010 on the Free Trade Agreement (FTA) between Canada and the Republic of Colombia because Article 816 of the FTA regulates the issue of Corporate Social Responsibility, giving voluntary jurisdiction for international standards of this to each of the territories. However, the Court expresses a significant contribution, emphasizing the greater importance that CSR should have in trade and business for the effective fulfillment of the obligations that these should have with Human Rights:

“In this regard, the Court considers it of the utmost importance that the postulates of the so-called corporate social responsibility (CSR) or corporate social responsibility (CSR) be elevated to conventional international positive law since its normative sources are usually found in soft law provisions, such as declarations and resolutions. In this sense, including CSR principles in a free trade agreement such as this one contributes to the fulfillment of constitutional values and principles such as solidarity, the dignity of work, respect for the environment, and, in general, the fulfillment of the obligations of companies in terms of human rights” (Constitutional Court of Colombia, 2010).

Ruling T-247 of 2010 is very important because the Court warns exactly about the task of the company and its responsibility concerning the four areas that the Global Compact refers to, and that is very decisive in CSR, makes a complete emphasis on what these areas cover, and expresses it as follows:

“Social responsibility as a principle of corporate action comes to complement and enrich what until now had been the teleological core of its activity: the profit motive. The idea that the company is one of the main actors within a community and that its activity should be an instrument of social improvement, environmental protection, and respect for fundamental rights, among other elements of social construction, has encouraged the consolidation of principles that guide the construction of parameters of social responsibility for companies” (Colombian Constitutional Court, 2010).

It also states that, in terms of human rights, companies should support and respect the protection of fundamental human rights, internationally recognized, within their sphere of influence, as well as:

- Businesses should ensure that their companies are not complicit in human rights abuses or labor matters.
- Businesses should respect the right to organize and the effective recognition of the right to collective bargaining;
- Businesses should support the elimination of all forms of forced and compulsory labor;
- Businesses should uphold the elimination of child labour, the abolition of discrimination regarding employment and occupation, and the protection of the environment.
- Businesses should support a precautionary approach to environmental challenges;
- Businesses should encourage initiatives that promote greater environmental responsibility;
- Regarding anti-corruption measures, businesses should encourage developing and diffusing environmentally friendly technologies.
- Businesses should work against corruption in all its forms, including extortion and bribery (Colombian Constitutional Court, 2010).

In turn, Ruling T 781 of 2014 states that although no title, chapter, or article in the Constitution cites CSR specifically, the Court states that it is cited in Article 333 in order to show the mandatory nature of CSR:

CSR is an integration of business or corporate management that is concerned with the environmental and social impact of its operations, as well as the interaction with interested agents, giving rise to a series of policies and guidelines that companies usually adopt in a discretionary or optional manner, in the form of soft law, being feasible that they come from norms of a mandatory nature. In order to refer to the norms that regulate corporate social responsibility (CSR) in the Political Charter, it is important to note that this expression is not contemplated in the constitutional order. However, Article 333 of the Political Constitution has been considered to be the constitutional foundation that supports CSR or CSR measures and initiatives (Colombian Constitutional Court, 2014).

### **Case study: Empresa Renderixarte, Sincelejo, Sucre, Colombia, years 2022-2023**

*Empresa Renderixarte, Sincelejo, Sucre, Colombia*

In order to understand the concepts and how they have been adapted to the immediate environment, an interview was conducted with the legal representative of the company Renderixarte, which was born as a business model from

the degree option of three architects who graduated from the Corporación Universitaria del Caribe CECAR, a higher education institution founded in 1978. The company's founders, Renderixarte, took their training process as the first step to form a knowledge society where they fused their academic knowledge with the experience they began to acquire through the jobs they were offered, offered, even as students.

They currently have a legally constituted company, called Renderixarte, which operates as a simplified limited company, which provides architectural consultancy services but also operates as an art studio and carries out tactical urban planning interventions in public spaces in order to beautify socio-cultural environments; they do this as part of their brand development and consolidate the processes and stages necessary for the management of business knowledge; It is worth noting that during their entrepreneurship stage, they received support from the CECAR entrepreneurship centre and later there was support in their formalisation stage through the CECAR business consultancy, this is relevant and pertinent to the research as it is taken as a sample of the first transfer of knowledge, This is relevant and pertinent to the research as it is taken as a sample of the first knowledge transfer, without necessarily focusing on it, given that the Caribbean University Corporation CECAR, due to its focus on corporate social responsibility, prepares these programmes to facilitate and encourage the creation of companies and innovation by its students, which proves that there is already a systematisation of the projects and adequate knowledge management; Therefore, for the case study the first knowledge transfer is mentioned, however, it focuses on the experience of Renderixarte because it is in the stage of building a systematisation of its collaborative and business processes to prove its competitiveness in the local and national market.

#### *Data collection*

Using the interview tool, it was possible to collect the necessary primary data on the Renderixarte company from its beginnings as an outstanding venture until its formalization. The interview was possible because the legal representative of the architectural firm confirmed his availability by accepting the invitation to participate as a case study for this research (see informed consent and formal invitation to participate in the research in the annexes).

### **CONCLUSIONS**

The interrelationship between knowledge management (KM), knowledge societies, and corporate social responsibility (CSR) in Colombia evidences an integral framework that redefines the role of organizations in the 21st century. The analysis presented shows that knowledge is no longer an accessory resource but a strategic asset that strengthens innovation, competitiveness, and business sustainability. In this sense, KM is positioned as a transversal axis that articulates organizations' internal processes and their impact on society and the environment.

In its regulatory and jurisprudential framework, Colombia has taken important steps to promote this approach, although challenges remain in its consolidation as a public policy. The 1991 Constitution and laws such as 1341 of 2009 and international treaties provide a solid basis for fostering knowledge management and protecting intellectual property while promoting access to information, scientific and technological development, and corporate commitment to sustainability and human rights.

Beyond being an ethical choice, CSR has become an operational requirement that demands companies act responsibly towards their workers, communities, and the environment. This practice, articulated with corporate governance, allows for more informed, ethical, and effective decision-making and better management of human talent and organizational resources. It also promotes the formation of knowledge societies, which generate value from collective knowledge and inter-institutional collaboration.

The case study of Renderixarte is a tangible example of how education, entrepreneurship, and innovation converge in the construction of modern companies that integrate KM and CSR as differentiating elements. This case reflects how the articulation between academia and business can be the driving force behind consolidating new business structures adapted to the demands of the current environment.

In conclusion, the path towards a knowledge-based economy, sustained by business ethics and current regulations, is a viable and necessary route for Colombia. The country can continue strengthening its business fabric, promoting sustainable development, and moving towards a more equitable and competitive society through a synergy between institutions, companies, and citizens.

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The authors declare that there is no conflict of interest.

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