1. A Complex Definition

In Article 2(1) of the Convention of the Safeguarding of the Intangible Cultural Heritage the “intangible cultural heritage” is defined as follows:

The “intangible cultural heritage” means the practices, representations, expressions, knowledge, skills – as well as the instruments, objects, artefacts and cultural spaces associated therewith – that communities, groups and, in some cases, individuals recognize as part of their cultural heritage. This intangible cultural heritage, transmitted from generation to generation, is constantly recreated by communities and groups in response to their environment, their interaction with nature and their history, and provides them with a sense of identity and continuity, thus promoting respect for cultural diversity and human creativity. [...]
These two sentences provide more of a description than a definition. Yet in social sciences, concepts are frequently used which cannot be constrained into precise logical schemes, such as the concept of culture.\(^3\)

In this short chapter an effort will be made to identify the essential components of the definition of intangible cultural heritage as provided by the ICH Convention. The analysis will be carried out in the light of the practice thus far developed by the Intergovernmental Committee for the Safeguarding of the Intangible Cultural Heritage\(^4\) in maintaining the two Lists established by the Convention, namely the Representative List of the Intangible Cultural Heritage of Humanity (“the Representative List”)\(^5\) and the List of Intangible Cultural Heritage in Need of Urgent Safeguarding (“the Safeguarding List”),\(^6\) and in inscribing elements on them.\(^7\) This practice can shed light on how the definition provided by Article 2(1) is interpreted in the application of the ICH Convention.\(^8\)

Despite the lengthy content of Article 2(1), the essential components of the concept of intangible cultural heritage seem to be three, namely: a manifestation of such heritage (objective component), a community of people (subjective or social component) and a cultural space (spatial component).

2. A Manifestation of Intangible Cultural Heritage

The intangible cultural heritage cannot be confined to a person’s private thoughts or kept secret in his private home but must be manifested by him to the external world and to someone else. This does not necessarily mean that access to the intangible cultural heritage should be open to everybody. States Parties to the ICH Convention are, \textit{inter alia}, bound to respect “customary practices governing access to specific aspects of..."