

IAF HUMAN SPACEFLIGHT SYMPOSIUM (B3)
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THE APPROACH OF INTERNATIONAL SPACE LAW TOWARDS SPACE TOURISTS AND
CAREER ASTRONAUTS: ARE CHANGES NEEDED?**Abstract**

In the rapidly evolving field of commercial space tourism, distinguishing between career astronauts and space tourists emerges as a significant challenge with broad legal, ethical, and social implications. This research paper delves into such distinction, emphasizing the necessity for specific terminology and an updated legal framework to ensure safety and compliance in the context of international space law and national regulations. The initial research question in this paper is therefore: How does the absence of distinct terminology for astronauts and space tourists impact legal clarity and safety protocols under international space law and national regulations?

The emergence of space tourism in the NewSpace era has blurred the lines between astronauts and tourists, highlighting the need for clear distinctions between these categories. This development underlines the importance of establishing broad legal (international treaty, national laws, space sector-specific regulations, commercial activities regulations) and ethical (do not harm or exploit space environment, safety and emergency standards for crew, passengers and other personnel) frameworks, which underlines the urgent need for safety standards and responsibilities for commercial space entities and their passengers.

The difference in training between career astronauts and space tourists also points to the necessity for tailored safety protocols. A significant gap in current space law is the lack of a clear distinction between orbital and suborbital flights. Similarly, commercial space tourism vehicles challenge traditional classifications by operating at the boundary between aviation and the Karman line, creating regulatory, vehicle type and safety standard ambiguities. Lastly, there is a dilemma in line regarding the capacity of space tourists to impact the general development and well-being of all humankind which is a crucial aspect of career astronauts' activity highlighted by the international space law.

The core of the study revolves around the hypothesis that the absence of specialized terminology and a cohesive legal framework complicates the development of consistent safety standards and legal governance. In the pursuit of identifying the best practices that would be applicable on the international scale, this paper adopts a legal pluralism theory. This research proposes a comparative legal analysis and case study methodology to advocate for a set of recommendations. Through this multidisciplinary approach, this paper aims to highlight the need for a unified framework that coordinates diverse legal norms and practices. Likewise, it aims to address legal gaps and inconsistencies by advocating for international cooperation and coordination among various stakeholders in the space tourism sector.